

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 388

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "committee;" insert "specifying the amount of Program Open Space funds that may be used for capital purposes; requiring the Governor to include in the annual capital budget a certain minimum amount; declaring the intent of the General Assembly; authorizing the Governor to transfer certain funds by budget amendments;"; in line 18, after "5-903(a)" insert "and (g)(1)"; and in line 23, strike "5-9A-08" and substitute "5-9A-09".

AMENDMENT NO. 2

On page 2, in line 33, after "(III)" insert "1.".

On pages 2 and 3, strike beginning with "FISCAL" in line 36 on page 2 through "STATE." in line 5 on page 3, and substitute:

"A. IN FISCAL YEAR 1998, \$4 MILLION;

B. IN FISCAL YEAR 1999, \$5 MILLION;

C. IN FISCAL YEAR 2000, \$6 MILLION;

D. IN FISCAL YEAR 2001, \$7 MILLION; AND

E. IN FISCAL YEAR 2002 AND EACH FISCAL YEAR THEREAFTER, \$8 MILLION;

2. IN EACH FISCAL YEAR, UP TO \$2 MILLION OF THE FUNDS TRANSFERRED UNDER THIS SUBPARAGRAPH TO THE RURAL LEGACY PROGRAM MAY BE USED TO PURCHASE ZERO COUPON BONDS FOR EASEMENTS.

(Over)

3. SUMS ALLOCATED TO THE RURAL LEGACY PROGRAM
MAY NOT REVERT TO THE GENERAL FUND OF THE STATE.

(g) (1) For the fiscal year commencing July 1, 1990, any amount appropriated in the State budget, and for each subsequent fiscal year, up to 25 percent of the State's share of funds THAT WOULD BE AVAILABLE UNDER THE PROGRAM IF 100 PERCENT OF THE FUNDS NOT REQUIRED UNDER § 13-209(B) OF THE TAX - PROPERTY ARTICLE IS AVAILABLE FOR DISTRIBUTION AS PROVIDED IN § 13-209(D)(3) OF THE TAX - PROPERTY ARTICLE [available under the program] may be used for capital improvements on land owned by the State for the use of the Department if the improvements are:

(i) Approved in the State budget; and

(ii) Compatible with:

1. Any master plan developed for the land; and

2. The natural features of the land.”.

AMENDMENT NO. 3

On page 4, in line 6, strike “WITH PROCEEDS FROM”; in line 9, strike “FUNDS DISTRIBUTED”; in line 10, after “5-903” insert “(A)(2)(III)”; in line 11, strike “THE SALE OF BONDS” and substitute “BY THE PROCEEDS FROM THE SALE OF GENERAL OBLIGATION BONDS AS PROVIDED IN § 5-9A-09 OF THIS SUBTITLE.

(D) WHEN NEGOTIATING AND AWARDED GRANTS, THE BOARD SHALL ENCOURAGE SPONSORS TO UTILIZE ZERO COUPON BONDS IN THE IMPLEMENTATION OF THE RURAL LEGACY PLAN IN ORDER TO REDUCE THE UTILIZATION OF GENERAL OBLIGATION BONDS IN FUNDING THE GRANTS”;

on page 11, after line 17, insert:

“5-9A-09.

THE GOVERNOR SHALL INCLUDE IN THE ANNUAL CAPITAL BUDGET AN AMOUNT NOT LESS THAN \$5 MILLION FOR THIS PROGRAM.”.

AMENDMENT NO. 4

On page 4, in line 31, after “IN” insert “A MULTIPLE OF”.

On page 5, strike beginning with “THE” in line 23 down through “OF” in line 24.

On pages 5 and 6, strike beginning with the scored colon in line 27 on page 5 through “(II)” in line 1 on page 6.

On page 6, in line 2, after “RESERVED” insert “BY THE OWNER”; in line 15, after “PLAN,” insert “IDENTIFY EXISTING PROTECTED LANDS,”; in line 38 , after “PROTECTION” insert “THROUGH FEE SIMPLE PURCHASES”.

On page 7, in line 8, after “CONSERVATION” insert “AND THE PROTECTION OF CULTURAL RESOURCES”.

On page 8, in line 14, after “(2)”, insert “(I)”; after line 17, insert:

“(II) THE SPONSOR SHALL SUBMIT TO THE BOARD WITH THE COMPLETED APPLICATION A SUMMARY OF THE COMMENTS FROM THE MUNICIPAL CORPORATION.”;

in line 37, strike “TO PURCHASE AN EASEMENT”; in line 38, after “AREAS” insert “THAT OTHERWISE MEET THE GOALS OF THIS PROGRAM, ONLY”; and in line 39, strike “ESTATE” and substitute “SIMPLE”.

AMENDMENT NO. 5

On page 10, in line 24, strike “10” and substitute “11”.

On page 11, in line 1, strike “AND”; in line 2, after “(10)” insert “A REPRESENTATIVE OF THE MINERAL RESOURCES INDUSTRY; AND

(11)”.

(Over)

AMENDMENT NO. 6

On page 12, strike beginning with “AND” in line 9 down through “YEAR” in line 10; in line 13, strike “SIXTY PERCENT” and substitute “60%”; in line 16, strike “FORTY PERCENT” and substitute “40%”; after line 17, insert:

“(7) FOR THE FISCAL YEAR COMMENCING JULY 1, 1998 AND FOR EACH SUBSEQUENT FISCAL YEAR, 90% OF THE BALANCE SHALL BE ALLOCATED AS PROVIDED UNDER SUBSECTION (D) OF THIS SECTION AND 10% SHALL BE ALLOCATED AS FOLLOWS:

(I) 50% TO THE RURAL LEGACY PROGRAM ESTABLISHED UNDER TITLE 5, SUBTITLE 9A OF THE NATURAL RESOURCES ARTICLE;

(II) 40% TO THE MARYLAND AGRICULTURAL LAND PRESERVATION FUND ESTABLISHED UNDER § 2-505 OF THE AGRICULTURE ARTICLE;
AND

(III) 10% TO PROGRAM OPEN SPACE, FOR LAND ACQUISITION AS SPECIFIED IN § 5-903(A)(2) OF THE NATURAL RESOURCES ARTICLE.”;

strike beginning with “the” in line 18 down through “1998” in line 20 and substitute “to the extent provisions of this Act provide for an allocation of funds different from that provided for in the Budget Bill, Chapter _____ of the Acts of 1997 (H.B.175), it is the intent of the General Assembly that the allocation provided under this Act shall control. The Governor is hereby authorized to transfer funds by approved budget amendment to the extent required to effect the fund allocation provided under this Act”;

and in line 25, strike “2” and substitute “3”.