

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 409

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Administration)" insert "and Delegates Weir, Billings, D. Hughes, Mohorovic, D. Davis, Ciliberti, Redmer, Hammen, McHale, Stup, Nathan-Pulliam, Hubbard, Frush, Morhaim, Klausmeier, and Watson and the Committee on Ways and Means".

AMENDMENT NO. 2

On page 1, in line 24, after "circumstances;" insert "requiring MDE to send a copy of a certificate of completion to the Director of the Department of Assessments and Taxation within a certain time period;".

On page 2, in line 5, after "amount;" insert "authorizing a State property tax credit under certain circumstances;"; in line 9, after "jurisdictions;" insert "requiring certain taxing jurisdictions to terminate certain property tax credits under certain circumstances;"; strike beginning with "requiring" in line 14 down through "funds" in line 15 and substitute "providing for the construction of certain provisions of this Act"; and in line 37, strike "9-109" and substitute "9-229".

AMENDMENT NO. 3

On page 13, in line 36, strike "ONCE COMPLETED".

On page 14, in line 8, after "(2)" insert "MEASURABLE"; and strike beginning with "BASED" in line 33 down through "SITE" in line 34 and substitute "IF THE RESPONSE ACTION PLAN IS NOT COMPLETED".

On page 15, in line 18, strike "ON A SITE".

AMENDMENT NO. 4

On page 16, in line 2, after "PUBLICATION" insert "AND POSTING"; and in line 19, after

(Over)

the second “RESIDENTIAL” insert “PURPOSES”.

On page 17, in line 16, strike “MAY” and substitute “, IF APPLICABLE, SHALL”; strike beginning with “AN” in line 21 down through “INCLUDING” in line 22 and substitute “FROM THE PROGRAM AT THE TIME OF A PENDING APPLICATION OR RESPONSE ACTION PLAN, OR”; and in line 30, after “ANY” insert “EXPENDED”.

AMENDMENT NO. 5

On page 18, in lines 10 and 14, in each instance, strike “(B)(2)” and substitute “(D)(2)”; and in line 22, strike the comma and substitute “:”.

(I) THE RESPONSIBLE PERSON SHALL STABILIZE AND SECURE THE ELIGIBLE PROPERTY TO ENSURE PROTECTION OF THE PUBLIC HEALTH AND THE ENVIRONMENT; AND

(II)”.

AMENDMENT NO. 6

On page 19, in line 11, after “THE” insert “APPLICABLE”; in the same line, strike “SELECTED”; and in line 21, after “(C)” insert “WITHIN 10 DAYS AFTER THE ISSUANCE OF A CERTIFICATE OF COMPLETION, THE DEPARTMENT SHALL SEND A COPY OF THE CERTIFICATE OF COMPLETION TO THE DIRECTOR OF THE DEPARTMENT OF ASSESSMENTS AND TAXATION.”.

(D)”.

On page 20, in line 4, strike “AGREES TO PERFORM” and substitute “IS RESPONSIBLE FOR”; in line 22, strike “ANY” and substitute “A”; and in line 31, after “(7)” insert “SUBJECT TO THE PROVISIONS OF § 7-512 OF THIS SUBTITLE.”.

AMENDMENT NO. 7

On page 21, in line 7, after “(E)” insert “SUBJECT TO THE PROVISIONS OF § 7-516(A) OF THIS SUBTITLE.”; in line 21, strike “APPLICANT” and substitute “PARTICIPANT”; and in line 34, strike “9-109” and substitute “9-229”.

On page 22 in line 6 and on page 24 in lines 9 and 29, in each instance, strike “9-109” and substitute “9-229”.

AMENDMENT NO. 8

On page 22, in line 8, after “PERSON” insert “OR A PERSON RESPONSIBLE FOR THE DISCHARGE”; after line 8, insert:

“(C) “PERSON RESPONSIBLE FOR THE DISCHARGE” HAS THE MEANING STATED IN § 4-401 OF THE ENVIRONMENT ARTICLE.”;

in lines 9 and 13, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively; in line 27, strike “LISTED” and substitute “QUALIFIED”.

AMENDMENT NO. 9

On page 24, in line 33, strike “3-901(C)” and substitute “3-901(D)”; and strike beginning with “THE” in line 35 down through “(2)” in line 36.

On page 25, in line 1, strike “(3)” and substitute “(2)”; and after line 11, insert:

“(3) IF A TAXING JURISDICTION ELECTS TO PARTICIPATE IN THE BROWNFIELDS REVITALIZATION INCENTIVE PROGRAM, THE PROPERTY TAX CREDITS UNDER THIS SECTION SHALL ALSO APPLY TO THE STATE PROPERTY TAX IN THAT JURISDICTION IN THE SAME PERCENTAGE AND FOR THE SAME DURATION AS PROVIDED FOR THE PROPERTY TAX OF THE TAXING JURISDICTION.”.

On page 26, in line 1, strike “THE STATE OR”; after line 8, insert:

“(J) A TAXING JURISDICTION SHALL TERMINATE ANY PROPERTY TAX CREDIT UNDER THIS SECTION IF:

(1) A PERSON RECEIVING A CREDIT UNDER THIS SECTION WITHDRAWS FROM THE VOLUNTARY CLEANUP PROGRAM UNDER § 7-512 (A) OR (B) OF THE ENVIRONMENT ARTICLE; OR

(2) THE DEPARTMENT OF THE ENVIRONMENT WITHDRAWS APPROVAL

(Over)

OF A RESPONSE ACTION PLAN, OR A CERTIFICATE OF COMPLETION UNDER § 7-512 (E) AND (F) OF THE ENVIRONMENT ARTICLE.”;

and in line 13, strike “3-901(C)” and substitute “3-901(D)”.

AMENDMENT NO. 10

On page 27, in line 9, after “That” insert “Title 7,”; in line 10, after “Article” insert “as enacted by this Act”; strike beginning with “first” in line 13 down through “the” in line 21, inclusive; and in line 23, strike “7.” and substitute “6.”.