

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 888

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Pitkin" and substitute ", Pitkin, and Hubbard"; in line 9, after "rights;" insert "requiring counties to submit certain information to the Board for certain purposes; providing that certain funds may be used to purchase transferable development rights in a county under certain circumstances; prohibiting the Rural Legacy Board from making a certain determination solely on the basis of certain considerations; requiring the Economic Growth, Resource Protection, and Planning Commission and the State Office of Planning to make a certain report to certain committees of the General Assembly on or before a certain date;"; strike beginning with "modifying" in line 12 down through "Plan;" in line 13; and in line 14, after "terms;" insert "providing for a delayed effective date;".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 through 14, inclusive; in lines 15 and 17, in each instance, strike the brackets; in lines 15 and 17, strike "(F)" and "(G)", respectively; in lines 22, 25, 27, 30, and 32, strike "(H)", "(I)", "(J)", "(K)", and "(L)", respectively, and substitute "(G)", "(H)", "(I)", "(J)", and "(K)", respectively.

On page 4, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 3

On page 4, strike beginning with the first comma in line 20 down through "SUBTITLE" in line 23; and in line 27, after "RIGHTS" insert "IN ACCORDANCE WITH THIS SUBTITLE AND LOCAL LAW".

On page 6, strike beginning with "EFFECTIVE" in line 13 down through "PROGRAMS," in line 14.

(Over)

On page 7, in line 27, after “(j)” insert “(1)”; in lines 27 and 30, in each instance, strike the bracket; strike in their entirety lines 31 through 35, inclusive, and substitute:

“(2) IN A COUNTY WITH A LOCALLY ADOPTED TRANSFERABLE DEVELOPMENT RIGHTS PROGRAM AND WITH THE APPROVAL OF THE COUNTY, FUNDS UNDER THIS PROGRAM MAY BE USED TO PURCHASE TRANSFERABLE DEVELOPMENT RIGHTS IN THE COUNTY IN ACCORDANCE WITH THE LOCALLY ADOPTED TRANSFERABLE DEVELOPMENT RIGHTS PROGRAM.”.

AMENDMENT NO. 4

On page 8, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “(II)” and substitute “(3)”; after line 11, insert:

“(5) THE COUNTY SHALL PROVIDE TO THE BOARD INFORMATION RELATING TO THE RECORDS REQUIRED IN PARAGRAPH (4) OF THIS SUBSECTION.”;

in lines 12 and 16, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively; in line 16, strike “THE BOARD SHALL DISTRIBUTE”; in line 17, after “RIGHTS” insert “SHALL BE DISTRIBUTED”; in line 20, strike “PRINCIPAL”; in the same line, strike “PRIORITY FUNDING AREA” and substitute “DEVELOPMENT”.

AMENDMENT NO. 5

On page 8, in line 23, after “RIGHTS” insert “FUNDS SHALL BE DISTRIBUTED TO THE MUNICIPAL CORPORATION IF THE RECEIVING AREA IS WITHIN THE CORPORATE LIMITS OF A MUNICIPAL CORPORATION”.

AMENDMENT NO. 6

On page 8, after line 37, insert:

“(O) IN ITS DETERMINATION UNDER SUBSECTION (C) OF THIS SECTION, THE RURAL LEGACY BOARD MAY NOT MAKE ITS DETERMINATION SOLELY ON THE BASIS OF WHETHER A COUNTY HAS ADOPTED A TRANSFERABLE DEVELOPMENT RIGHTS PROGRAM AUTHORIZING RURAL LEGACY BOARD PURCHASES AND SALES OF TRANSFERABLE DEVELOPMENT RIGHTS.

SECTION 2. AND BE IT FURTHER ENACTED, That the Economic Growth, Resource Protection, and Planning Commission and the State Office of Planning, in consultation with county planning departments, shall report to the House Environmental Matters, House Appropriations, Senate Economic and Environmental Affairs, and Senate Budget and Taxation Committees, and the Governor on or before December 15, 2000, on the following:

(1) Types of locally adopted transferable development rights programs, including characteristics of sending and receiving areas, and county planning department assessments of the potential effect of authorizing Rural Legacy Board purchases and resales of transferable development rights;

(2) The estimated economic costs and benefits of Rural Legacy Program purchases and resales of transferable development rights for:

(i) county transferable development rights programs; and

(ii) landowners participating in the Rural Legacy Program and other State and local land preservation programs; and

(3) The projected impacts of Rural Legacy Program transferable development rights purchases and resales on the Program; and

(4) Public input on the estimated impacts of Rural Legacy Program purchases and resales of transferable development rights.”.

On page 9 in line 1, strike “2.” and substitute “3.”; and in line 2, strike “October 1, 2000” and substitute “January 1, 2001”.