

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 257
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “National” in line 2 down through “Refuges” in line 3 and substitute “Little Blackwater River”; in line 4, strike “use of growth allocation for” and substitute “project approval of”; in the same line, strike the third “the” and substitute “certain”; in line 5, after “of” insert “a”; and strike beginning with “tributaries” in line 5 down through “refuges” in line 6 and substitute “tributary; requiring certain development to be in accordance with certain standards; establishing a certain advisory committee to study and recommend certain reforms of a certain growth allocation process; providing for the membership and staffing of the advisory committee; requiring the advisory committee to report its findings and recommendations to certain persons on or before a certain date”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 29 through 36, inclusive, and substitute:

“(D) (1) THIS SUBSECTION APPLIES TO ANY PROPERTY THAT IS DESIGNATED AS A RESOURCE CONSERVATION AREA AND THAT IS LOCATED ADJACENT TO, OR WITHIN 1,000 FEET, OF THE LITTLE BLACKWATER RIVER.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, PROJECT APPROVAL MAY NOT BE GRANTED FOR ANY DEVELOPMENT USING GROWTH ALLOCATION.

(3) PROJECT APPROVAL MAY BE GRANTED FOR THE DEVELOPMENT OF A GOLF COURSE IF:

(1) THE DEVELOPMENT IS IN ACCORDANCE WITH THE STANDARDS AND RECOMMENDATIONS OF THE COMMISSION ON THE

(Over)

DEVELOPMENT OF GOLF COURSES IN RESOURCE CONSERVATION AREAS, ADOPTED
ON AUGUST 3, 2005; AND

(II) ALL ACCESS ROADS, CLUBHOUSES, MAINTENANCE
BUILDINGS, PRO SHOPS, RESTAURANTS, PARKING LOTS, AND ALL OTHER
STRUCTURAL ELEMENTS OF THE GOLF COURSE ARE LOCATED OUTSIDE THE
RESOURCE CONSERVATION AREA.”.

AMENDMENT NO. 3

On page 4, after line 20, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is an Advisory Committee to study and recommend potential legislative
reforms of the growth allocation process in the Chesapeake and Atlantic Coastal Bays Critical Area
Protection Program.

(b) The Advisory Committee consists of the following members:

(1) one member of the Senate Education, Health, and Environmental Affairs
Committee, appointed by the Chair of the Committee;

(2) one member of the House Environmental Matters Committee, appointed by
the Chair of the Committee; and

(3) the following eight members, each designated by their own organization:

(i) one representative from the staff of the Critical Areas Commission for
the Chesapeake and Atlantic Coastal Bays;

(ii) one representative from the Department of Natural Resources;

(iii) one representative from the Chesapeake Bay Foundation;

(iv) one representative from the U.S. Fish and Wildlife Service;

- (v) one representative from The Nature Conservancy;
- (vi) one representative from the University System of Maryland;
- (vii) one representative from the Department of Planning; and
- (viii) one representative from the Maryland State Builders Association.

(c) The Co-Chairs of the Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Area shall serve as Co-Chairs of the Advisory Committee.

(d) The Department of Legislative Services shall provide staff for the Advisory Committee.

(e) A member of the Advisory Committee:

(1) may not receive compensation as a member of the Committee; and

(2) is entitled for reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Advisory Committee shall:

(1) develop criteria and identify Resource Conservation Area lands in the State that should not be subject to growth allocation because of their environmental sensitivity and value;

(2) recommend legislation for the 2007 legislative session for improving and strengthening growth allocation guidelines and requirements, which may include:

(i) a prohibition on growth allocation awards for Resource Conservation Area lands identified by the Advisory Committee as environmentally sensitive and valuable; and

(ii) a required designation in a local comprehensive master plan of lands planned for growth allocation.

(g) On or before December 1, 2007, the Advisory Committee shall report its findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the President of the Senate, the Speaker of the House of Delegates, the Senate Education, Health, and Environmental Affairs Committee, the House Environmental Matters Committee, and the Governor.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any development on property that is designated as a resource conservation area and that is located adjacent to, or within 1,000 feet of, the Little Blackwater River, regardless of whether project approval has been granted before or after the effective date of this Act.”;

and in line 21, strike “2.” and substitute “4.”.