

**HB0369/700918/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 369

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stein” and substitute “Stein, Ali, Beidle, Carr, Frush, Glenn, Healey, Hucker, Sossi, and Weir”; in line 3, after “purposes;” insert “stating the intent of the General Assembly;”; in line 8, strike “an”; in the same line, strike “plan” and substitute “plans”; in line 9, strike the first “the”; in the same line, strike “plan” and substitute “plans”; in line 10, after “submission;” insert “requiring the BayStat Subcabinet to prepare a final work and expenditure plan;”; and strike beginning with “redistribute” in line 13 down through “Fund” in line 14 and substitute “administer the funds, including redistributing the funds in a certain manner”.

On page 1, in lines 2, 3, and 23, and on page 2 in lines 5, 10, and 39, in each instance, strike “Bay” and substitute “and Atlantic Coastal Bays”.

On page 2, after line 35, insert:

“BY renumbering

Article – Natural Resources

Section 8–2A–01 and 8–2A–02, respectively

to be Section 8–2A–02 and 8–2A–01, respectively

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Section 2 of this Act)”.

AMENDMENT NO. 2

On page 3, in line 22, after “(f)” insert “**(1)**”; in line 23, strike “**MEASURES**” and substitute “**PROJECTS**”; and after line 24, insert:

(Over)

**“(2) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, WHEN POSSIBLE, MONEYS IN THE FUND SHALL BE GRANTED TO LOCAL GOVERNMENTS AND OTHER POLITICAL SUBDIVISIONS FOR AGRICULTURAL, FORESTRY, STREAM AND WETLAND RESTORATION, AND URBAN AND SUBURBAN STORMWATER NONPOINT SOURCE POLLUTION CONTROL PROJECTS.”.**

**AMENDMENT NO. 3**

On page 4, in line 4, strike “(1)”; in the same line, strike “SECTION” and substitute “**SUBTITLE**”; in line 6, strike “(2)” and substitute “(B)”; in the same line, strike beginning with “OR” through the third “PROGRAM” and substitute “**MEANS THE PROGRAM**”; in line 8, strike “(3) (I)” and substitute “(C) (1)”; in line 10, strike “PHOSPHOROUS” and substitute “**PHOSPHORUS**”; in line 11, strike “(II)” and substitute “(2)”; in lines 13, 17, 19, 21, 22, 23, and 29, strike “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, and “8.”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; in line 19, after “A” insert “**SUSTAINABLE**”; in the same line, strike “OR” and substitute “**, INCLUDING A FOREST STEWARDSHIP PLAN, OR A**”; strike in their entirety lines 27 and 28; and in line 30, strike “AND”.

On page 5, in line 1, strike “9.” and substitute “(VIII)”; and in line 4, after “MEASURES” insert “**; AND**”

**(IX) STRATEGIC MONITORING OF WATER QUALITY IMPROVEMENTS FROM NONPOINT SOURCE POLLUTION CONTROL PROJECTS THAT HAVE BEEN FUNDED, IN WHOLE OR IN PART, WITH GRANTS FROM THE TRUST FUND**”.

**AMENDMENT NO. 4**

On page 5, in lines 5 and 9, strike “(4)” and “(5)”, respectively, and substitute “(D)” and “(E)”, respectively; in line 7, strike “PHOSPHOROUS” and substitute “PHOSPHORUS”; in line 22, strike “AND”; and in line 24, after “SCIENCE” insert “;

(VI) THE DEAN OF THE COLLEGE OF AGRICULTURE AND NATURAL RESOURCES AT THE UNIVERSITY OF MARYLAND, COLLEGE PARK; AND

(VII) THE CHAIR OF THE CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS”.

AMENDMENT NO. 5

On page 6, in line 22, after “(2)” insert “(I)”; in the same line, strike “AND EXPENDITURE”; strike beginning with the colon in line 22 down through “IDENTIFIES” in line 23 and substitute “IDENTIFIES”; in line 23, strike “AND EXPENDITURES” and substitute “TO BE FUNDED WITH MONEY”; in line 24, after “FUND” insert “FOR THE NEXT FISCAL YEAR, INCLUDING ANNUAL NUTRIENT AND SEDIMENT REDUCTION TARGETS, PERFORMANCE MEASURES, AND ACCOUNTABILITY CRITERIA”; in line 25, strike “PROVIDES” and substitute “DEVELOP AN ANNUAL EXPENDITURE PLAN THAT IDENTIFIES PLANNED EXPENDITURES FOR THE WORK PLAN AND INCLUDES”; in line 28, strike “PLAN” and substitute “PLANS”; and after line 29, insert:

“(E) ON AN ANNUAL BASIS THE BAYSTAT SUBCABINET SHALL PREPARE A FINAL WORK AND EXPENDITURE PLAN BASED ON THE BUDGET APPROVED BY THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 6

On page 7, in line 4, after “(B)” insert “(1)”; in the same line, after “THE” insert “BAYSTAT”; in line 6, after “FUNDS” insert “, GEOGRAPHICALLY AND BY

PRACTICE, TO PROVEN, SCIENTIFICALLY-BASED PROJECTS”; in the same line, after “COST-EFFECTIVE” insert “AND MEASURABLE”; after line 7, insert:

“(2) TO THE MAXIMUM EXTENT PRACTICABLE, THE BAYSTAT PROGRAM SHALL DISTRIBUTE THE TRUST FUND MONEYS ON A COMPETITIVE BASIS.”;

in line 8, after “THE” insert “BAYSTAT”; in line 9, after “AGENCIES” insert “IN ACCORDANCE WITH THE FINAL WORK AND EXPENDITURE PLANS”; in line 10, strike “REDISTRIBUTE” and substitute “ADMINISTER”; in line 11, after “FUNDS” insert “IN ACCORDANCE WITH THE FINAL WORK AND EXPENDITURE PLANS, INCLUDING THE DISTRIBUTION OF FUNDS”; in lines 12 and 13, strike “, TO THE MAXIMUM EXTENT PRACTICABLE ON A COMPETITIVE BASIS,”; in line 22, strike “AND”; and in line 24, after “ARTICLE” insert “; AND

“(III) TO THE MARYLAND AGRICULTURAL COST-SHARE PROGRAM ESTABLISHED UNDER TITLE 8, SUBTITLE 7 OF THE AGRICULTURE ARTICLE FOR NONPOINT SOURCE POLLUTION CONTROL PROJECTS”.

AMENDMENT NO. 7

On page 7, in line 26, after “GRANTS” insert “THAT SHALL INCLUDE CONSIDERATION OF THE EXTENT TO WHICH A PROPOSED PROJECT, BOTH GEOGRAPHICALLY AND BY PRACTICE, WILL DELIVER THE GREATEST, MOST COST-EFFECTIVE, AND MEASURABLE NONPOINT SOURCE POLLUTION REDUCTION PER TRUST FUND DOLLAR”; in line 27, after “THE” insert “BAYSTAT”; in the same line, strike “MAY” and substitute “SHALL”; in the same line, strike “A” and substitute “MULTI-YEAR, MULTI-PARTNER PROPOSALS, LOCAL”; in line 28, strike the first comma and substitute “OR”; in the same line, after “COST-SHARE” insert “AGREEMENTS”; in the same line, strike “OTHER ACTION” and substitute “SIMILAR ACTIONS”; and after line 29, insert:

**“(4) THE BAYSTAT SUBCABINET AGENCIES MAY DISTRIBUTE TO AN ADMINISTRATIVE COST ACCOUNT THE AMOUNT THAT IS NECESSARY TO ADMINISTER GRANT PROGRAMS, NOT TO EXCEED 1.5% OF THE ALLOCATIONS TO THE BAYSTAT SUBCABINET AGENCIES.”**

On page 8, in line 5, strike “AND”; in line 6, strike “MULTIYEAR” and substitute “MULTI-YEAR”; in line 7, after “ADMINISTRATION” insert “; AND”

**“(3) INCLUDE PROVISIONS FOR VERIFICATION THAT PRACTICES ARE BEING IMPLEMENTED”;**

in line 8, strike “A” and substitute “FUNDS FROM THE”; in the same line, strike “GRANT”; and strike in their entirety lines 13 through 17, inclusive, and substitute:

**“(1) FOR AGENCIES RECEIVING MONEYS FROM THE TRUST FUND:**

**1. A DESCRIPTION OF HOW THE FUNDS WERE ALLOCATED, INCLUDING:**

**A. THE NUMBER AND AMOUNTS OF GRANTS AWARDS;**  
**AND**

**B. DIRECT EXPENDITURES BY THE AGENCY;**

**2. HOW FUNDING WAS LEVERAGED; AND**

**3. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS ASSOCIATED WITH TRUST FUND EXPENDITURES.**

(Over)

**(II) FOR RECIPIENTS OF COMPETITIVE GRANTS FROM THE TRUST FUND, A DESCRIPTION OF FUNDED PROJECTS, INCLUDING:**

- 1. PROJECT LOCATION;**
- 2. DESCRIPTION OF PRACTICES IMPLEMENTED;**
- 3. TIMEFRAMES FOR PROJECT COMPLETION;**
- 4. ESTIMATED OR CALCULATED NUTRIENT REDUCTIONS; AND**
- 5. PROVISIONS FOR LONG-TERM MAINTENANCE OF PRACTICES.”.**

**AMENDMENT NO. 8**

On page 8, strike beginning with “PAY” in line 18 down through “PURPOSES” in line 20 and substitute “**ENABLE AN INDIVIDUAL CITED FOR NONCOMPLIANCE WITH A NONPOINT SOURCE POLLUTION CONTROL LAW OR REGULATION TO ACHIEVE COMPLIANCE**”; and in line 24, after “THE” insert “**BAYSTAT PROGRAM SCIENTIFIC ADVISORY**”.

**AMENDMENT NO. 9**

On page 9, in line 1, strike “SEPTEMBER” and substitute “**AUGUST**”; in line 10, after “THE” insert “**PROPOSED**”; in the same line, strike “AND EXPENDITURE”; and in line 16, strike the semicolon and substitute a period.

On page 18, after line 5, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 8–2A–01 and 8–2A–02, respectively, of Article – Natural Resources of the Annotated Code of Maryland, as enacted by Section 2 of this Act, shall be renumbered to be Section(s) 8–2A–02 and 8–2A–01, respectively.”;

and in line 6, strike “3.” and substitute “4.”.

AMENDMENT NO. 10

On page 3 in line 2, on page 5 in lines 9, 14, and 28, on page 6 in lines 2, 4, 7, 10, 16, and 19, on page 7 in lines 7 and 23, on page 8 in line 28, on page 10 in lines 9 and 10, on page 11 in line 16, on page 13 in lines 16, 17, 22, 26, 28, and 33, on page 14 in lines 3, 6, 10, 12, 15, 19, 20, 24, 30, and 32, on page 15 in lines 6, 8, 11, and 17, on page 16 in lines 1, 2, 19, and 36, and on page 17 in lines 9, 12, and 34, in each instance, strike “**BAY**” and substitute “**AND ATLANTIC COASTAL BAYS**”.

On page 3, in line 4, strike “Bay” and substitute “**AND ATLANTIC COASTAL BAYS**”; in line 8, after “River,” insert “**AND TO RESTORE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES,**”; in line 24, after “Agreement” insert “**AND TO IMPROVE THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES**”; and in line 30, strike “Bay and its” and substitute “**AND ATLANTIC COASTAL BAYS AND THEIR**”.

On page 4, in line 1, strike “Bay” and substitute “**BAY**”.

On page 5, in line 8, strike “**BAY AND ITS**” and substitute “**AND ATLANTIC COASTAL BAYS AND THEIR**”.

On page 6, after line 17, insert:

**“(II) THE HEALTH OF THE ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES;”;**

and in lines 18 and 20, strike “**(II)**” and “**(III)**”, respectively, and substitute “**(III)**” and “**(IV)**”, respectively.