

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 549
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 5; strike beginning with “altering” in line 11 down through “Fund;” in line 13; in line 15, after the first “Fund” insert “, subject to approval by the Secretary of Natural Resources and the Board of Public Works”; strike beginning with “prohibiting” in line 16 down through “Fund;” in line 17 and substitute “requiring the Department to report certain information annually on or before a certain date to certain legislative committees;”; and strike beginning with “authorizing” in line 25 down through “circumstances;” in line 27.

On page 2, in line 3, after “date” insert “; requiring agricultural preservation advisory boards to meet a certain amount with forest conservation district boards for a certain purpose”; strike in their entirety lines 14 and 15 and substitute “Section 2-501 and 2-504.1(d)”; in line 30, strike “5-212(g)” and substitute “5-212(f) and (g)”; in the same line, strike the second “and”; and in line 31, after “5-427” insert “, and 5-606(b)”.

AMENDMENT NO. 2

On page 5, in line 2, strike “**AND FORESTRY**”; in line 13, strike “**CONSERVATION**” and substitute “**PRESERVATION**”; in line 14, strike “**THAT:**” and substitute “**THAT FAIR**”; in line 15, strike “**(1) EQUITABLE**”; and strike beginning with “; **AND**” in line 17 down through “subtitle” in line 25 and substitute:

“2-504.1.

(d) Duties of each agricultural preservation advisory board shall be:

(Over)

(1) To advise the county governing body with respect to the establishment of agricultural districts and the approval of purchases of easements by the Foundation within the county;

(2) To assist the county governing body in reviewing the status of agricultural districts and land under easement;

(3) To advise the Foundation concerning county priorities for agricultural preservation;

(4) To approve or disapprove an application by the county for certification under § 5–408 of the State Finance and Procurement Article;

(5) To promote preservation of agriculture within the county by offering information and assistance to farmers with respect to establishment of districts and purchase of easements; [and]

(6) **TO MEET AT LEAST ANNUALLY WITH FOREST CONSERVATION DISTRICT BOARDS IN ORDER TO WORK COOPERATIVELY TO ENCOURAGE THE PROMOTION AND RETENTION OF FARMLAND AND WOODLAND IN THEIR RESPECTIVE JURISDICTIONS; AND**

(7) To perform any other duties as assigned by the county governing body.”.

AMENDMENT NO. 3

On page 9, after line 20, insert:

“(4) NUTRIENT REDUCTION BENEFITS;”;

and in lines 21 and 22, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively.

AMENDMENT NO. 4

On page 14, in line 13, strike the second “AND”; in line 16, after “GROWTH” insert “; AND”

(VII) ASSIGNING A NUTRIENT EFFICIENCY BENEFIT TO FOREST STEWARDSHIP PLANS AND OTHER FOREST CONSERVATION MANAGEMENT PLANS THAT CAN BE MEASURABLY TRACKED AND REPORTED BY THE NUMBER OF FORESTED ACRES COVERED BY THE PLANS”;

strike in their entirety lines 22 through 27, inclusive; and after line 32, insert:

“(f) The Fund consists of:

(1) [Any] EXCEPT AS PROVIDED IN § 5-307(F)(3) OF THIS TITLE, ANY money obtained from the State forest reserves, State parks, scenic reserves, parkways, historic monuments, and recreation areas;

(2) Revenue distributed to the Fund from fines collected under § 5-1302 of this title; and

(3) Revenue received by the Fund under § 5-207(b) of this subtitle.”.

AMENDMENT NO. 5

On page 15, in lines 10 and 13, in each instance, strike the brackets; in line 10, strike “12.5%”; in line 13, strike “22.5%”; and in lines 28 and 29, in each instance, strike the bracket.

(Over)

AMENDMENT NO. 6

On page 16, in line 4, strike “**REVENUES**” and substitute “**SUBJECT TO APPROVAL BY THE SECRETARY AND THE BOARD OF PUBLIC WORKS, A PORTION OF THE REVENUES**”.

AMENDMENT NO. 7

On page 17, after line 27, insert:

“(J) **ON OR BEFORE JUNE 30 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ENVIRONMENTAL MATTERS COMMITTEE ON THE USE OF FUNDS CREDITED TO THE WOODLAND INCENTIVES FUND, INCLUDING AN IDENTIFICATION OF AND THE REASONS FOR THOSE REVENUES DERIVED FROM FORESTRY PRACTICES ON DESIGNATED LANDS OWNED AND MANAGED BY THE DEPARTMENT THAT WERE NOT CREDITED TO THE WOODLAND INCENTIVES FUND.**”;

and in line 28, strike “(J)” and substitute “(K)”.

On page 18, in line 4, strike “(K)” and substitute “(L)”.

AMENDMENT NO. 8

On page 18, in lines 1 and 2, in each instance, strike the bracket; strike beginning with “**MAY**” in line 2 down through “**STATE**” in line 3; and after line 21, insert:

“(b) **Any board or its agent may:**

- (1) Enter upon any woodland in the county or district in performance of its duty;
- (2) Hold meetings and demonstrations in regard to conservation of natural resources;
- (3) Enter into agreements with landowners within its county or district for a specified period of years;
- (4) Cooperate with other government agencies to achieve better forest growth and promulgate conservation measures, INCLUDING MEETING AT LEAST ANNUALLY WITH AGRICULTURAL ADVISORY BOARDS AS PROVIDED UNDER § 2-504.1 OF THE AGRICULTURE ARTICLE IN ORDER TO ENCOURAGE THE PROMOTION AND RETENTION OF AGRICULTURAL LAND AND FOREST LAND IN THEIR RESPECTIVE JURISDICTIONS;
- (5) Develop comprehensive forest management plans for conservation of soil resources and for control and prevention of soil erosion within the county or district;
- (6) Enforce rules and regulations made by the Department. Each local board may suggest tentative rules and regulations of forest practice to accomplish objectives set forth in this subtitle and to carry out policies established by the Department. The board shall publish the tentative rules and regulations in one or more newspapers having a wide circulation in the area they cover, together with a notice of a public hearing which the board shall hold on them. The final draft of these rules and regulations shall be presented to the Department for approval. The board may summon witnesses for hearings on infraction of its rules and regulations and initiate a prosecution for violation of its rules. It shall forward copies of any proceedings and rulings to the Department and make an annual report of its proceedings and actions to the Department; and

(Over)

(7) Promulgate safeguards for proper forest land use, such as those intended to:

(i) Provide for adequate restocking, after cutting, of trees of desirable species and condition;

(ii) Provide for reserving for growth and subsequent cutting, a sufficient growing stock of thrifty trees of desirable species to keep the land reasonably productive; and

(iii) Prevent clear-cutting, or limit the size of a tract to be clear-cut in areas where clear-cutting will seriously interfere with protection of a watershed, or in order to maintain a suitable growing stock to insure natural reproduction. However, any rule dealing with clear-cutting shall establish a procedure by which any operator of forest land may secure a permit to clear-cut particular lands upon proof that he has a bona fide intention of devoting the land to other than forest use; that the lands are appropriate for the proposed use; and that devoting the lands to the new use will not seriously interfere with the protection of the watershed.”.

On page 20, strike in their entirety lines 20 through 25, inclusive; in lines 26, 32, and 38, strike “7.”, “8.”, and “9.”, respectively, and substitute “6.”, “7.”, and “8.”, respectively.

On page 21, in line 1, 10, and 15, strike “10.”, “11.”, and “12.”, respectively, and substitute “9.”, “10.”, and “11.”, respectively.