

HB0245/143627/1

BY: Delegate Buckel

AMENDMENTS TO HOUSE BILL 245, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 10, after “regulation;” insert “requiring the Department to return certain fees in a certain manner under certain circumstances;”; in line 11, after “Certification;” insert “authorizing the Department to increase certain fees by regulation and to return certain fees in a certain manner under certain circumstances;”; in line 19, after “program” insert “; requiring the Department to adjust certain fees by regulation under certain circumstances and to return certain fees in a certain manner under certain circumstances;”; and in the same line, strike the second “and”.

AMENDMENT NO. 2

On page 5 of the bill, in line 6, after “(2)” insert “**(I)**”; after line 7, insert:

**“(II) THE DEPARTMENT SHALL RETURN ANY FEES COLLECTED THAT EXCEED THE COST OF DEVELOPMENT AND ADMINISTRATION OF THE PERMIT PROGRAM UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE FEE PAYERS ON A PRO RATA BASIS.”;**

in line 13, after “(3)” insert “**(I)**”; in the same line, strike “The” and substitute “**BY REGULATION, THE DEPARTMENT MAY ADJUST THE**”; in the same line, strike “may be adjusted”; and after line 15, insert:

**“(II) IF THE DEPARTMENT ADOPTS REGULATIONS TO ADJUST THE FEE IN ACCORDANCE WITH THIS PARAGRAPH, THE DEPARTMENT SHALL PROVIDE AN ANALYSIS THAT SHOWS:**

**1. CURRENT COSTS AND REVENUES OF THE PERMIT PROGRAM UNDER THIS SUBTITLE; AND**

**2. PROJECTED COSTS AND REVENUES OF THE PERMIT PROGRAM UNDER THIS SUBTITLE AFTER THE FEE ADJUSTMENT.**

On page 2 of the Environment and Transportation Committee Amendments (HB0245/433224/1), in line 6 of Amendment No. 2, after “MAY” insert “, BY REGULATION,”; and in line 12, after “3%” insert “.

**3. IF THE DEPARTMENT ADOPTS REGULATIONS TO ADJUST THE FEE IN ACCORDANCE WITH THIS SUBPARAGRAPH, THE DEPARTMENT SHALL PROVIDE AN ANALYSIS THAT SHOWS:**

**A. CURRENT COSTS AND REVENUES OF ADMINISTERING THE PERMIT PROCESS; AND**

**B. PROJECTED COSTS AND REVENUES OF ADMINISTERING THE PERMIT PROCESS AFTER THE FEE ADJUSTMENT.**

On page 6 of the bill, in line 11, after “(3)” insert “(1)”; in line 12, after “SUBSECTION” insert “;

**1.**”;

in the same line, strike “SHALL” and substitute “SHALL”; and in line 13, after “ARTICLE” insert “;AND

**2. MAY NOT EXCEED THE COST OF ADMINISTERING THE PERMIT PROCESS.**

(II) THE DEPARTMENT SHALL RETURN ANY FEES COLLECTED THAT EXCEED THE COST OF ADMINISTERING THE PERMIT PROCESS TO THE FEE PAYERS ON A PRO RATA BASIS.”.

On page 16 of the bill, in line 15, strike “THE” and substitute “BY REGULATION, THE”; and after line 22, insert:

“(III) IF THE DEPARTMENT ADOPTS REGULATIONS TO ADJUST THE FEE IN ACCORDANCE WITH THIS PARAGRAPH, THE DEPARTMENT SHALL PROVIDE AN ANALYSIS THAT SHOWS:

1. CURRENT COSTS AND REVENUES OF ADMINISTERING THE WETLANDS AND WATERWAYS PROGRAM; AND

2. PROJECTED COSTS AND REVENUES OF ADMINISTERING THE WETLANDS AND WATERWAYS PROGRAM AFTER THE FEE ADJUSTMENT.

(IV) 1. FEES ADJUSTED UNDER THIS PARAGRAPH MAY NOT EXCEED THE COST OF ADMINISTERING THE WETLANDS AND WATERWAYS PROGRAM.

2. THE DEPARTMENT SHALL RETURN ANY FEES COLLECTED THAT EXCEED THE COST OF ADMINISTERING THE WETLANDS AND WATERWAYS PROGRAM TO THE FEE PAYERS ON A PRO RATA BASIS.”.