

HB0503/413025/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 503
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and Stewart**” and substitute “**Stewart, Foley, Guyton, Holmes, J. Long, Love, Terrasa, and Ziegler**”; strike beginning with “requiring” in line 7 down through the first “Department” in line 10 and substitute “requiring the Department to submit certain grant applications to the Maryland State Clearinghouse for Intergovernmental Assistance; establishing that certain grant applications are subject to approval by the Board of Public Works”.

On page 2, in line 4, strike “5-9D-04” and substitute “5-9D-05”.

AMENDMENT NO. 2

On page 4, in line 19, after “**2025,**” insert “UP TO”; in line 20, after “**2026,**” insert “UP TO”; and in line 22, after “**THEREAFTER,**” insert “UP TO”.

On page 5, after line 15, insert:

“(F) “LAND ACQUISITION” MEANS:

(1) THE FEE SIMPLE ACQUISITION OF REAL PROPERTY; OR

(2) THE ACQUISITION OF A PERPETUAL CONSERVATION EASEMENT.”;

and in lines 16, 24, and 26, strike “(F)”, “(G)”, and “(H)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively.

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On page 6, in lines 1 and 3, strike “**(I)**” and “**(J)**”, respectively, and substitute “**(J)**” and “**(K)**”, respectively; strike beginning with “**TO**” in line 1 down through “**PROPERTY**” in line 2 and substitute “**ON A PROJECT TO:**”

(I) DEVELOP A PROPERTY FOR PUBLIC USE; AND

(II) IMPROVE THE CONSERVATION VALUE OF THE PROPERTY.

(2) “STEWARDSHIP” DOES NOT INCLUDE THE OPERATING EXPENSES OF A RECIPIENT OF A GRANT UNDER THE PROGRAM”;

after line 18, insert:

“(3) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.”;

in line 24, after “**FOR**” insert “**COMMUNITY**”; and in the same line, strike “**EQUITY**”.

On page 7, in line 1, strike “**THAT**”; in line 2, strike “**IS OWNED OR MANAGED BY**” and substitute “**FOR WHICH**”; in the same line, after “**APPLICANT**” insert “**HOLDS A CONSERVATION EASEMENT OR OWNS THE PROPERTY IN FEE SIMPLE**”; in line 4, strike “**IS**” and substitute “**THAT IS LOCATED IN A CENSUS TRACT THAT IS**”; in the same line, strike “**AND SERVES**”; in line 9, strike “**OR LOCAL GOVERNMENTS**” and substitute “**, COUNTIES, OR MUNICIPALITIES**”; in line 14, after “**(2)**” insert “**GRANTS FOR LAND ACQUISITION UNDER THE PROGRAM MAY ONLY BE AWARDED TO LAND TRUSTS, COUNTIES, AND MUNICIPALITIES.**”

(3);

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in line 16, after “OTHER” insert “DUE DILIGENCE”; in lines 16 and 17, strike “AND MATERIALS”; in line 17, strike “PLANNING AND”; in lines 17 and 18, strike “, INCLUDING STEWARDSHIP OF THE SITE”; in line 19, after “ADMINISTRATIVE” insert “AND PROGRAM”; strike beginning with “AN” in line 19 down through “LESS” in line 20 and substitute “ACCORDANCE WITH PARAGRAPH (4) OF THIS SUBSECTION”; in line 21, strike “OF A PROJECT” and substitute “PROJECTS”; and in line 26, strike “(3)” and substitute:

“(4) A PORTION OF THE GRANT MAY BE USED TO PAY FOR:

(I) IF THE PROJECT INVOLVES LAND ACQUISITION OR ONLY PROJECT STEWARDSHIP, ADMINISTRATIVE COSTS NOT TO EXCEED 3% OF THE GRANT AMOUNT; AND

(II) IF THE PROJECT INVOLVES LAND ACQUISITION, PROGRAM COMPLIANCE COSTS FOR MONITORING EASEMENTS IF APPLICABLE.

(5).

On page 8, in line 4, strike “AND”; and in line 12, after “PROJECT” insert “; AND”

(IV) THE GEOGRAPHIC DIVERSITY OF THE STATE.

On pages 8 and 9, strike in their entirety the lines beginning with line 14 on page 8 through line 5 on page 9, inclusive, and substitute:

“(A) THE DEPARTMENT SHALL SUBMIT TO THE MARYLAND STATE CLEARINGHOUSE FOR INTERGOVERNMENTAL ASSISTANCE FOR REVIEW AND COMMENT ALL GRANT APPLICATIONS THAT WILL BE RECOMMENDED TO THE BOARD OF PUBLIC WORKS FOR AN AWARD UNDER THE PROGRAM.

(Over)

(B) EACH GRANT APPLICATION SUBMITTED TO THE MARYLAND STATE CLEARINGHOUSE FOR INTERGOVERNMENTAL ASSISTANCE IS SUBJECT TO APPROVAL BY THE BOARD OF PUBLIC WORKS.

On page 9, after line 6, insert:

“(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, LAND ACQUIRED BY A GRANT AWARDED UNDER THE PROGRAM MAY NOT BE CONVERTED FROM OUTDOOR PUBLIC RECREATION OR OPEN SPACE TO ANY OTHER USE WITHOUT THE PRIOR WRITTEN APPROVAL OF:

(I) THE SECRETARY;

(II) THE SECRETARY OF BUDGET AND MANAGEMENT; AND

(III) THE SECRETARY OF PLANNING.

(2) A CONVERSION OF LAND UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE APPROVED ONLY AFTER THE GRANT RECIPIENT REPLACES THE LAND BEING CONVERTED WITH LAND THAT HAS:

(I) AN AREA THAT IS AT LEAST EQUIVALENT IN SIZE WITH THE LAND BEING CONVERTED;

(II) A RECREATION OR OPEN SPACE VALUE EQUIVALENT WITH THAT OF THE LAND BEING CONVERTED; AND

(III) AN APPRAISED VALUE EQUIVALENT TO OR GREATER THAN THAT OF THE LAND BEING CONVERTED.

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(B) LAND DEVELOPED OR IMPROVED BY A GRANT AWARDED UNDER THE PROGRAM MUST BE OPERATED AND MAINTAINED FOR PUBLIC USE BY THE GRANT RECIPIENT FOR AT LEAST 15 YEARS FROM THE PROJECT COMPLETION DATE.

5-9D-05.

On page 10, in line 14, strike “§ 5-9D-03(B)” and substitute “§ **5-9D-03**”.