

SB0254/218073/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 254
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “authorizing” and substitute “requiring”; in the same line, strike “a program” and substitute “the Deep Creek Lake Buy Down Area Program”; in line 6, after the first “a” insert “certain”; in the same line, strike “not to exceed a certain amount”; in lines 7, 8, and 10, in each instance, strike “program” and substitute “Program”; in line 7, after “manner;” insert “exempting certain property transactions made under the Program from certain property requirements;”; in line 9, after “that” insert “a portion of”; in line 10, strike “disposed of” and substitute “used”; and in the same line, after the semicolon insert “providing that all proceeds in excess of a certain reimbursement amount be credited to the Deep Creek Lake Recreation Maintenance and Management Fund; providing that revenue from the sale of certain property distributed to the Deep Creek Lake Recreation Maintenance and Management Fund may be used only by the Department for certain land purchases;”; in line 11, after the first “of” insert “certain provisions of”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5-215(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5-215(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 1, in line 15, strike “a program” and substitute “the Deep Creek Lake Buy Down Area Program”; strike beginning with “not” in line 17 down through “2000” in line 18 and substitute “equal to the State’s cost of acquiring the land plus reasonable costs and expenses incurred by the State from the sale”; and in lines 19 and 22, in each instance, strike “program” and substitute “Program”.

AMENDMENT NO. 3

On page 1, after line 21, insert:

“(3) Property transactions made under the Program shall be exempt from the requirements under §§ 5-310 and 10-305(b) of the State Finance and Procurement Article.”.

AMENDMENT NO. 4

On page 2, in line 1, strike “The” and substitute “(1) A portion of the”; in the same line, strike “of any sales” and substitute “received from any sale”; strike beginning with “disposed” in line 1 down through “Article” in line 2 and substitute “used to reimburse the State for reasonable costs and expenses incurred from the sale.”

(2) All proceeds in excess of the reimbursement amount specified in paragraph (1) of this subsection shall be credited to the Deep Creek Lake Recreation Maintenance and Management Fund established under § 5-215 of the Natural Resources Article”;

and after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Natural Resources

5-215.

(a) In this section, "Fund" means the Deep Creek Lake Recreation Maintenance and Management Fund.

(b) There is a Deep Creek Lake Recreation Maintenance and Management Fund in the Department for the maintenance and management of the land, recreational facilities, and services that are related to Deep Creek Lake in Garrett County.

(c) (1) Except as provided in paragraphs (2) [and], (4), AND (5) of this subsection, the Department shall pay all fees collected for boat launching at Deep Creek Lake State Park, all funds collected from lake and buffer use permits, contracts, grants, and gifts as a result of the Deep Creek Lake management program, and any investment earnings of the Fund, into the Fund.

(2) At the end of each quarter of the fiscal year, the Department shall pay 25% of the total revenue collected during the quarter under paragraph (1) of this subsection to the Board of County Commissioners of Garrett County.

(3) (i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(ii) Any investment earnings of the Fund may not be transferred or revert to the General Fund of the State, but shall remain in the Fund.

(4) Moneys in the Fund may be used for administrative costs calculated in accordance with § 1-103(b)(2) of this article.

(5) REVENUE DISTRIBUTED TO THE FUND FROM THE SALE OF STATE PROPERTY MADE IN ACCORDANCE WITH THE DEEP CREEK LAKE BUY DOWN AREA PROGRAM MAY BE USED BY THE DEPARTMENT ONLY FOR THE PURCHASE OF LAND THAT PROVIDES PUBLIC ACCESS TO DEEP CREEK LAKE."

(Over)

AMENDMENT NO. 5

On page 2, strike in their entirety lines 3 through 6, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015. Section 1 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of October 31, 2017, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act shall remain effective for a period of 4 years and 1 month and, at the end of October 31, 2019, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.