

HB1534/260418/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1534
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Wells” and substitute “Delegates Wells, Attar, Boyce, Harrison, Healey, Holmes, Jalisi, Lehman, Lierman, Love, Ruth, Stewart, and Terrasa”; in line 11, strike “authorizing” and substitute “requiring”; in line 12, after “regulations” insert “to administer the Fund; requiring the establishment of a certain Review Board; requiring the Board to provide grants from money available in the Fund; authorizing the Department to appoint certain members to the Board; requiring the Board to include certain representatives; requiring a certain percentage of certain grant amounts to have certain purposes; requiring certain grants to have a certain measurable impact”; strike beginning with “requiring” in line 12 down through “budget” in line 13 and substitute “authorizing certain abandoned property funds to be distributed”; in line 14, after “Fund;” insert “authorizing the Department to adopt certain regulations;”; and strike beginning with “Article” in line 23 down through “Supplement)” in line 26 and substitute:

“Article - Commercial Law
Section 17-317
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“(B) “FARM PRODUCT” MEANS:

(Over)

(1) ANY AGRICULTURAL, HORTICULTURAL, VEGETABLE, OR FRUIT PRODUCT OF THE SOIL, WHETHER RAW, CANNED, FROZEN, DRIED, PICKLED, OR OTHERWISE PROCESSED;

(2) LIVESTOCK, MEATS, MARINE FOOD PRODUCTS, POULTRY, EGGS, DAIRY PRODUCTS;

(3) WOOL, HIDES, FEATHERS, NUTS, HONEY; AND

(4) EVERY PRODUCT OF FARM, FOREST, ORCHARD, GARDEN, OR WATER.”;

in lines 6 and 7, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; after line 7, insert:

“(E) “URBAN AGRICULTURAL PRODUCER” MEANS ANY PERSON THAT ANNUALLY SELLS, OR NORMALLY WOULD HAVE SOLD, \$1,000 OR MORE OF FARM PRODUCTS IN BALTIMORE CITY.”;

and strike beginning with “APPROPRIATED” in line 23 down through “ARTICLE” in line 25 and substitute “DISTRIBUTED TO THE FUND UNDER § 17-317 OF THE COMMERCIAL LAW ARTICLE”.

On page 3, after line 7, insert:

“(G) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS, SUBJECT TO THE AVAILABILITY OF MONEY IN THE FUND, TO PROVIDE GRANTS UNDER THE FUND.

(2) THE REGULATIONS SHALL:

(I) ESTABLISH A REVIEW BOARD TO IMPLEMENT:

1. A COMPETITIVE GRANT APPLICATION PROCESS THAT PRIORITIZES APPLICATIONS THAT WILL ACCOMPLISH THE GOALS OF THE URBAN AGRICULTURE SECTION OF THE 2019 BALTIMORE SUSTAINABILITY PLAN;

2. A SYSTEM TO FAIRLY:

A. EVALUATE EACH GRANT APPLICATION; AND

B. AWARD GRANTS FROM MONEY AVAILABLE IN THE FUND; AND

3. A GRANT AGREEMENT TO BE USED BY THE REVIEW BOARD AND GRANT RECIPIENTS;

(II) REQUIRE THE REVIEW BOARD TO INCLUDE MEMBERS REPRESENTING:

1. THE BALTIMORE OFFICE OF SUSTAINABILITY;

2. THE BALTIMORE DEVELOPMENT CORPORATION;
AND

3. THE DEPARTMENT OF PLANNING;

(Over)

(III) 1. REQUIRE THAT MORE THAN 75% OF THE REVIEW BOARD MEMBERS BE COMPRISED OF STAFF REPRESENTING AN AGENCY OF BALTIMORE CITY; AND

2. REQUIRE THE REMAINDER OF THE REVIEW BOARD MEMBERS TO BE APPOINTED BY THE DEPARTMENT, BASED ON THE MEMBER'S ABILITY TO HELP ACHIEVE THE PURPOSE OF THE PROGRAM UNDER § 2-2002(B) OF THIS SUBTITLE;

(IV) REQUIRE GRANT RECIPIENTS TO DISTRIBUTE AT LEAST 70% OF THE AMOUNT OF THE GRANT TO URBAN AGRICULTURAL PRODUCERS TO:

1. SECURE REAL PROPERTY;

2. MAINTAIN SAFE, ENVIRONMENTALLY SUSTAINABLE, AND SOCIALLY RESPONSIBLE PRACTICES; AND

3. SUPPORT VIABLE URBAN AGRICULTURE ENTERPRISES;

(V) REQUIRE THAT GRANT APPLICATIONS DEMONSTRATE A MEASURABLE IMPACT ON IMPROVING LOCAL FOOD ACCESS OR OTHER COMMUNITY BENEFITS;

(VI) REQUIRE AT LEAST 70% OF THE AMOUNT OF EACH GRANT TO BE DISTRIBUTED TO MINORITY-OWNED OR OPERATED URBAN AGRICULTURAL PRODUCERS; AND

(VII) PROHIBIT GRANT RECIPIENTS FROM USING MORE THAN 30% OF THE AMOUNT OF THE GRANT FOR OPERATING EXPENSES.

(H) ON OR BEFORE OCTOBER 15 EACH YEAR, BEGINNING IN 2022 AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE ON THE EFFECTIVENESS OF THE FUNDING PROVIDED UNDER THIS SECTION.”;

in line 12, strike “**IS LOCATED**” and substitute “**IS INCORPORATED OR MAINTAINS ITS PRINCIPAL PLACE OF BUSINESS**”; and in line 26, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN § 2-2003(G) OF THIS SUBTITLE, THE**”.

On pages 3 through 6, strike in their entirety the lines beginning with line 27 on page 3 through line 20 on page 6, inclusive, and substitute:

“Article – Commercial Law

17-317.

(a) (1) All funds received under this title, including the proceeds of the sale of abandoned property under § 17-316 of this subtitle, shall be credited by the Administrator to a special fund. The Administrator shall retain in the special fund at the end of each fiscal year, from the proceeds received, an amount not to exceed \$50,000, from which sum the Administrator shall pay any claim allowed under this title.

(2) After deducting all costs incurred in administering this title from the remaining net funds, the Administrator:

(Over)

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(I) shall distribute \$2,000,000 to the Maryland Legal Services Corporation Fund established under § 11-402 of the Human Services Article; AND

(II) MAY DISTRIBUTE UP TO \$400,000 TO THE URBAN AGRICULTURE GRANT FUND ESTABLISHED UNDER § 2-2003 OF THE AGRICULTURE ARTICLE, FOR EACH OF FISCAL YEARS 2022 THROUGH 2025.

(3) (i) Subject to subparagraph (ii) of this paragraph, the Administrator shall distribute all unclaimed money from judgments of restitution under Title 11, Subtitle 6 of the Criminal Procedure Article to the State Victims of Crime Fund established under § 11-916 of the Criminal Procedure Article to assist victims of crimes and delinquent acts to protect the victims' rights as provided by law.

(ii) If a victim entitled to restitution that has been treated as abandoned property under § 11-614 of the Criminal Procedure Article is located after the money has been distributed under this paragraph, the Administrator shall reduce the next distribution to the State Victims of Crime Fund by the amount recovered by the victim.

(4) After making the distributions required under paragraphs (2) and (3) of this subsection, the Administrator shall distribute the remaining net funds not retained under paragraph (1) of this subsection to the General Fund of the State.

(b) Before making the distribution, the Administrator shall record the name and last known address, if any, of the owners of funds so distributed and the type of property which the funds distributed represent. The record shall be available for public inspection during reasonable business hours by any person who claims a legal interest in any property held by the Administrator, provided that the person gives prior notice to the Administrator.”