

---

By: **Delegate Marriott (By Request - Baltimore City Administration) and  
Delegates Anderson, Branch, C. Davis, Doory, Hammen, Harrison,  
Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Paige, and Rosenberg**

Introduced and read first time: February 2, 2005

Assigned to: Appropriations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Program Open Space - Baltimore City Grants**

3 FOR the purpose of establishing a certain statutory minimum grant to Baltimore  
4 City, payable from the State's share of the proceeds of Program Open Space, for  
5 certain purposes related to Program Open Space; and generally relating to  
6 Program Open Space.

7 BY repealing and reenacting, with amendments,  
8 Article - Natural Resources  
9 Section 5-903(a)  
10 Annotated Code of Maryland  
11 (2000 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article - Natural Resources  
14 Section 5-903(b)  
15 Annotated Code of Maryland  
16 (2000 Replacement Volume and 2004 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Natural Resources**

20 5-903.

21 (a) (1) Of the funds distributed to Program Open Space under § 13-209 of  
22 the Tax - Property Article, \$1,000,000 may be transferred by an appropriation in the  
23 State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the  
24 State Finance and Procurement Article, to the Maryland Heritage Areas Authority  
25 Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions  
26 Article to be used for the purposes provided in that subtitle.

1           (2)   (i)       Of the remaining funds not appropriated under paragraph (1) of  
2 this subsection, one half of the funds shall be used for recreation and open space  
3 purposes by the Department and the Historic St. Mary's City Commission. Except as  
4 otherwise provided in this section, any funds the General Assembly appropriates to  
5 the State under this subsection shall be used only for land acquisition projects.

6                   (ii)       [A portion] AT LEAST \$1,500,000 of the State's share of funds  
7 available under this program shall be utilized to make grants to Baltimore City for  
8 projects which meet park purposes. The grants shall be in addition to any funds  
9 Baltimore City is eligible to receive under subsection (b) of this section, and may be  
10 used for acquisition or development. In order for Baltimore City to be eligible for a  
11 State grant, the Department shall review projects or land to be acquired within  
12 Baltimore City, and upon the Department's recommendation, the Board of Public  
13 Works may approve projects and land including the cost. Title to the land shall be in  
14 the name of the Mayor and City Council of Baltimore City. The State is not  
15 responsible for costs involved in the development or maintenance of the land.

16                   (iii)    1.       A portion of the State's share of funds available under this  
17 Program not to exceed the amounts specified below may be transferred by an  
18 appropriation in the State budget to the Rural Legacy Program under Title 5, Subtitle  
19 9A of this article:

20                                   A.       In fiscal year 1998, \$4 million;

21                                   B.       In fiscal year 1999, \$5 million;

22                                   C.       In fiscal year 2000, \$6 million;

23                                   D.       In fiscal year 2001, \$7 million; and

24                                   E.       In fiscal year 2002 and each fiscal year thereafter, \$8  
25 million.

26                                   2.       In each fiscal year, up to \$2 million of the funds  
27 transferred under this subparagraph to the Rural Legacy Program may be used to  
28 purchase zero coupon bonds for easements.

29                                   3.       Sums allocated to the Rural Legacy Program may not  
30 revert to the General Fund of the State.

31   (b)       Of the remaining funds not appropriated under subsection (a)(1) of this  
32 section, the General Assembly shall appropriate the other half of the funds to assist  
33 local governing bodies in acquisition and development of land for recreation and open  
34 space purposes.

35   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
36 effect October 1, 2005.