

SENATE BILL 421

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SB 259/08 – EHE

1lr1709

By: **Senators Edwards and Middleton**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Program Open Space – Attainment of Acquisition Goals – Increased**
3 **Allocation for Local Government**

4 FOR the purpose of altering the amount a local government can spend on development
5 projects after it has attained its acquisition goals under Program Open Space;
6 repealing a certain limitation on the use of certain funds; and generally relating
7 to the apportionment of local government funds for Program Open Space.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 5–905(c)(1)
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2010 Supplement)

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

15 **Article – Natural Resources**

16 5–905.

17 (c) (1) (i) One half of any local governing body's annual apportionment
18 shall be used for acquisition or development projects provided that up to 20 percent of
19 the funds authorized for acquisition or development projects under this subparagraph
20 may be used for capital renewal as defined in § 5–901 of this subtitle.

21 (ii) If the Department and the Department of Planning certify
22 that acquisition goals set forth in the current, approved local land preservation and
23 recreation plan have been met and that such acreage attainment equals or exceeds the
24 minimum recommended acreage goals developed for that jurisdiction under the
25 Maryland Land Preservation and Recreation Plan, a local governing body may use up

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 to **[75] 100** percent of its future annual apportionment for development projects [for a
2 period of 5 years after attainment], provided that up to 20 percent of the funds
3 authorized for use for development projects under this subparagraph may be used for
4 capital renewal.

5 (iii) If a county determines that it qualifies for the additional
6 funds for development and capital renewal projects under subparagraph (ii) of this
7 paragraph, before the due date for all local governing bodies to submit revised local
8 land preservation and recreation plans, that county may submit an interim local land
9 preservation and recreation plan:

10 1. Prior to the submission under subsection (b)(2) of this
11 section; and

12 2. In addition to the submission required under
13 subsection (b)(2).

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 June 1, 2011.