

CF 7r1852

**By: The Speaker (Administration) and Delegates Fry, Rosapepe, Frush, Hammen,
Turner, Preis, Harkins, Kopp, and Pitkin**

Introduced and read first time: January 27, 1997

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **"Smart Growth" and Neighborhood Conservation - Rural Legacy Program**

3 FOR the purpose of creating a Rural Legacy Program in the Department of Natural
4 Resources; establishing a Rural Legacy Board to administer the Program; providing
5 for the membership of the Board; providing that the Program is established to
6 enhance natural resources, agricultural, and environmental protection by providing
7 funds for the purchase of certain interests in real property; providing for the
8 funding of the Program; specifying criteria that the Board will apply in
9 administering the Program; providing for the approval of certain of the Board's
10 actions by the Board of Public Works; requiring that the Board and an approved
11 sponsor in the Program shall execute a certain grant agreement; providing for an
12 advisory committee to the Board to make recommendations for rural legacy
13 designations; providing for the composition of the advisory committee; defining
14 certain terms; and generally relating to the establishment of the Rural Legacy
15 Program.

16 BY repealing and reenacting, with amendments,
17 Article - Natural Resources
18 Section 5-903(a)
19 Annotated Code of Maryland
20 (1989 Replacement Volume and 1996 Supplement)

21 BY adding to
22 Article - Natural Resources
23 Section 5-9A-01 through 5-9A-08, inclusive, to be under the new subtitle "Subtitle
24 9A. Rural Legacy Program"
25 Annotated Code of Maryland
26 (1989 Replacement Volume and 1996 Supplement)

27 BY repealing and reenacting, with amendments,
28 Article - Tax - Property
29 Section 13-209(c)
30 Annotated Code of Maryland
31 (1994 Replacement Volume and 1996 Supplement)

2

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

3 **Article - Natural Resources**

4 5-903.

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

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

16 (ii) A portion of the State's share of funds available under this
17 program shall be utilized to make grants to Baltimore City for projects which meet park
18 purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive
19 under subsection (b) of this section, and may be used for acquisition or development. In
20 order for Baltimore City to be eligible for a State grant, the Department shall review
21 projects or land to be acquired within Baltimore City, and upon the Department's
22 recommendation, the Board of Public Works may approve projects and land including the
23 cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore
24 City. The State is not responsible for costs involved in the development or maintenance of
25 the land.

26 (III) A PORTION OF THE STATE'S SHARE OF FUNDS AVAILABLE
27 UNDER THIS PROGRAM NOT TO EXCEED THE AMOUNTS SPECIFIED BELOW MAY BE
28 TRANSFERRED BY AN APPROPRIATION IN THE STATE BUDGET TO THE RURAL
29 LEGACY PROGRAM UNDER TITLE 5, SUBTITLE 9A OF THIS ARTICLE: FISCAL YEAR
30 1998 (\$4 MILLION), FISCAL YEAR 1999 (\$7 MILLION), FISCAL YEAR 2000 (\$9 MILLION),
31 FISCAL YEAR 2001 (\$9 MILLION), AND FISCAL YEAR 2002 (\$9 MILLION). FOR FISCAL
32 YEARS 2003-2011, UP TO \$9 MILLION MAY BE TRANSFERRED TO THE GENERAL FUND
33 AS A CONTRIBUTION TO DEBT SERVICE, PROVIDED THAT IN EACH OF THOSE FISCAL
34 YEARS, \$35 MILLION IN GENERAL OBLIGATION BONDS HAS BEEN AUTHORIZED FOR
35 THE RURAL LEGACY PROGRAM. SUMS ALLOCATED TO THE RURAL LEGACY
36 PROGRAM NOT ATTRIBUTABLE TO THE SALE OF GENERAL OBLIGATION BONDS MAY
37 NOT REVERT TO THE GENERAL FUND OF THE STATE.

38 SUBTITLE 9A. RURAL LEGACY PROGRAM.

39 5-9A-01.

40 (A) THE GENERAL ASSEMBLY DECLARES THAT:

41 (1) SPRAWL DEVELOPMENT AND OTHER MODIFICATIONS TO THE
42 LANDSCAPE IN MARYLAND CONTINUE AT AN ALARMING RATE, CONSUMING LAND

3

1 RICH IN NATURAL RESOURCE AND AGRICULTURAL VALUE, ADVERSELY AFFECTING
2 WATER QUALITY, WETLANDS AND HABITAT, THREATENING RESOURCE-BASED
3 ECONOMIES AND CULTURAL ASSETS, AND RENDING THE FABRIC OF RURAL LIFE;

4 (2) CURRENT STATE, COUNTY, AND LOCAL LAND CONSERVATION
5 PROGRAMS HELP TO LIMIT THE EFFECT OF SPRAWL DEVELOPMENT BUT LACK
6 SUFFICIENT FUNDING AND FOCUS TO PRESERVE KEY AREAS BEFORE ESCALATING
7 LAND VALUES MAKE THEIR PROTECTION IMPOSSIBLE OR THE LAND IS LOST TO
8 DEVELOPMENT; AND

9 (3) A GRANT PROGRAM THAT LEVERAGES AVAILABLE FUNDING,
10 FOCUSES ON PRESERVATION OF STRATEGIC RESOURCES, INCLUDING THOSE
11 RESOURCES THREATENED BY SPRAWL DEVELOPMENT, STREAMLINES REAL
12 PROPERTY ACQUISITION PROCEDURES TO EXPEDITE LAND PRESERVATION, AND
13 PROMOTES A GREATER LEVEL OF NATURAL AND ENVIRONMENTAL RESOURCES
14 PROTECTION THAN IS PROVIDED BY EXISTING EFFORTS, WHILE MAINTAINING THE
15 VIABILITY OF RESOURCE-BASED LAND USAGE AND PROPER MANAGEMENT OF
16 TILLABLE AND WOODED AREAS, WILL ESTABLISH A RURAL LEGACY FOR FUTURE
17 GENERATIONS.

18 (B) (1) A RURAL LEGACY PROGRAM IS ESTABLISHED TO ENHANCE
19 NATURAL RESOURCE, AGRICULTURAL, AND ENVIRONMENTAL PROTECTION AS
20 PROVIDED IN SUBSECTION (A) OF THIS SECTION BY PROVIDING FUNDS TO THE
21 STATE, LOCAL GOVERNMENTS AND LAND TRUSTS TO PURCHASE INTERESTS IN
22 REAL PROPERTY, INCLUDING EASEMENTS AND FEE ESTATES, FOCUSED IN
23 DESIGNATED RURAL LEGACY AREAS.

24 (2) THE PROGRAM SHALL CREATE PARTNERSHIPS AMONG THE STATE,
25 LOCAL GOVERNMENTS, AND NONPROFIT LAND TRUST ORGANIZATIONS AND
26 ENCOURAGE LOCAL LAND CONSERVATION INITIATIVES.

27 (3) THE PROGRAM IS ADMINISTERED BY A RURAL LEGACY BOARD IN
28 THE DEPARTMENT OF NATURAL RESOURCES, AN ADVISORY COMMITTEE, AND
29 EXISTING STATE STAFF.

30 (C) THE PROGRAM IS FUNDED WITH PROCEEDS FROM THE SALE OF
31 GENERAL OBLIGATION BONDS AND PURSUANT TO § 13-209 OF THE TAX - PROPERTY
32 ARTICLE AND § 5-903 OF THE NATURAL RESOURCES ARTICLE.

33 5-9A-02.

34 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
35 INDICATED.

36 (B) "APPLICATION" MEANS AN APPLICATION TO THE RURAL LEGACY BOARD
37 TO DESIGNATE A RURAL LEGACY AREA.

38 (C) "BOARD" MEANS THE RURAL LEGACY BOARD.

39 (D) "BPW" MEANS THE MARYLAND STATE BOARD OF PUBLIC WORKS.

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1 (E) "GRANT AGREEMENT" MEANS AN AGREEMENT BETWEEN THE BOARD
2 AND A SPONSOR TO IMPLEMENT A RURAL LEGACY PLAN IN A DESIGNATED RURAL
3 LEGACY AREA.

4 (F) "LAND TRUST" MEANS A QUALIFIED CONSERVATION ORGANIZATION AS
5 DEFINED IN § 3-2A-01(D) OF THIS ARTICLE.

6 (G) "PROGRAM" MEANS THE RURAL LEGACY PROGRAM ESTABLISHED BY
7 THIS SUBTITLE.

8 (H) "RURAL LEGACY AREA" MEANS A REGION WITHIN OR OUTSIDE A
9 METROPOLITAN AREA DESIGNATED BY THE BOARD AS RICH IN AGRICULTURAL,
10 NATURAL, AND CULTURAL RESOURCES.

11 (I) "RURAL LEGACY PLAN" MEANS A PLAN ACCEPTED BY THE BOARD FOR
12 ACQUISITION OF EASEMENTS AND FEE INTERESTS IN RURAL LEGACY AREAS.

13 (J) "SPONSOR" MEANS A LOCAL GOVERNMENT, GROUP OF LOCAL
14 GOVERNMENTS, OR A LAND TRUST.

15 5-9A-03.

16 (A) THERE IS A RURAL LEGACY BOARD ESTABLISHED IN THE DEPARTMENT
17 OF NATURAL RESOURCES TO ADMINISTER THE RURAL LEGACY PROGRAM.

18 (B) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

19 (1) THE SECRETARY OF AGRICULTURE;

20 (2) THE SECRETARY OF NATURAL RESOURCES; AND

21 (3) THE DIRECTOR OF THE OFFICE OF PLANNING.

22 (C) THE SECRETARY OF NATURAL RESOURCES SHALL SERVE AS CHAIRMAN
23 OF THE BOARD.

24 (D) (1) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE STAFF
25 TO THE BOARD.

26 (2) THE DEPARTMENT OF AGRICULTURE AND THE OFFICE OF
27 PLANNING MAY PROVIDE ADDITIONAL STAFF.

28 5-9A-04.

29 (A) THE BOARD HAS AND MAY EXERCISE ALL POWERS NECESSARY TO
30 CARRY OUT THE PURPOSES OF THIS SUBTITLE.

31 (B) THE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THE PURPOSES
32 OF THIS SUBTITLE, INCLUDING PROCEDURES FOR EXPEDITING ACQUISITIONS.

33 (C) THE BOARD SHALL ESTABLISH A METHOD FOR APPRAISAL OF REAL
34 PROPERTY INTERESTS ACQUIRED UNDER THIS SUBTITLE WHICH SHALL REFLECT
35 FAIR MARKET, NATURAL RESOURCE, AND AGRICULTURAL VALUES.

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1 (D) THE BOARD AND SPONSORS MAY ENTER INTO AGREEMENTS WITH
2 OTHER GOVERNMENTAL AGENCIES, INCLUDING THE MARYLAND AGRICULTURAL
3 LAND PRESERVATION FOUNDATION AND THE MARYLAND ENVIRONMENTAL TRUST,
4 FOR THE PURPOSE OF ESTABLISHING PARTNERSHIPS TO CARRY OUT THIS
5 PROGRAM.

6 5-9A-05.

7 (A) A SPONSOR MAY FILE AN APPLICATION TO DESIGNATE A RURAL LEGACY
8 AREA IN ACCORDANCE WITH A SCHEDULE ESTABLISHED BY THE BOARD. A LOCAL
9 GOVERNMENT MAY NOT APPLY FOR OR APPROVE AN APPLICATION FOR A RURAL
10 LEGACY AREA DESIGNATION OUTSIDE ITS BOUNDARIES.

11 (B) THE APPLICATION SHALL DESCRIBE THE PROPOSED RURAL LEGACY
12 AREA, INCLUDE A RURAL LEGACY AREA PLAN, STATE THE AMOUNT OF THE GRANT
13 REQUESTED, AND COMPLY WITH THE CRITERIA SET FORTH BELOW.

14 (C) THE BOARD SHALL EVALUATE AND COMPARE APPLICATIONS IN
15 ACCORDANCE WITH THE FOLLOWING CRITERIA IN ORDER TO SELECT THOSE THAT
16 BEST CARRY FORWARD THE GOALS AND OBJECTIVES OF THE PROGRAM SET FORTH
17 IN § 5-9A-01 OF THIS SUBTITLE:

18 (1) THE SIGNIFICANCE OF THE AGRICULTURAL AND NATURAL
19 RESOURCES PROPOSED FOR PROTECTION, INCLUDING:

20 (I) THE DEGREE TO WHICH PROPOSED FEE OR EASEMENT
21 PURCHASES WILL PROTECT THE LOCATION, PROXIMITY, AND SIZE OF CONTIGUOUS
22 BLOCKS OF LANDS, GREEN BELTS OR GREENWAYS, OR AGRICULTURAL OR
23 NATURAL RESOURCE CORRIDORS;

24 (II) THE NATURE, SIZE, AND IMPORTANCE OF THE LAND AREA TO
25 BE PROTECTED, SUCH AS FARMLAND, FORESTS, WETLANDS, WILDLIFE HABITAT
26 AND PLANT SPECIES, VEGETATIVE BUFFERS, OR BAY OR WATERFRONT ACCESS; AND

27 (III) THE QUALITY AND PUBLIC OR ECONOMIC VALUE OF THE
28 LAND;

29 (2) THE DEGREE OF THREAT TO THE RESOURCES AND CHARACTER OF
30 THE AREA PROPOSED FOR PRESERVATION, AS REFLECTED BY PATTERNS AND
31 TRENDS OF DEVELOPMENT AND LANDSCAPE MODIFICATIONS IN AND
32 SURROUNDING THE PROPOSED RURAL LEGACY AREA;

33 (3) THE SIGNIFICANCE AND EXTENT OF THE CULTURAL RESOURCES
34 PROPOSED FOR PROTECTION, INCLUDING THE IMPORTANCE OF HISTORIC SITES
35 AND SIGNIFICANT ARCHAEOLOGICAL AREAS;

36 (4) THE ECONOMIC VALUE OF THE RESOURCE-BASED INDUSTRIES OR
37 SERVICES PROPOSED FOR PROTECTION THROUGH LAND CONSERVATION, SUCH AS
38 AGRICULTURE, FORESTRY, RECREATION, AND TOURISM;

39 (5) THE OVERALL QUALITY AND COMPLETENESS OF THE RURAL
40 LEGACY PLAN, INCLUDING:

6

1 (I) EXISTING ZONING AND GROWTH MANAGEMENT POLICIES
2 CONTRIBUTING TO LAND CONSERVATION;

3 (II) HOW WELL EXISTING OR NEW CONSERVATION PROGRAMS
4 ARE COORDINATED WITH THE PROPOSED ACQUISITION PLAN;

5 (III) HOW WELL THE PLAN WILL MAXIMIZE ACQUISITION OF REAL
6 PROPERTY INTERESTS IN CONTIGUOUS BLOCKS OF LAND WITHIN THE RURAL
7 LEGACY AREA WHILE PROVIDING FOR PROTECTION OF ISOLATED ACQUISITIONS
8 IMPORTANT TO THE PLAN;

9 (IV) PROVISIONS FOR PROTECTION OF RESOURCES, SUCH AS
10 VOLUNTARILY GRANTED OR PURCHASED EASEMENTS, FEE ESTATE PURCHASES, OR
11 GIFTS OF LANDS;

12 (V) HOW THE SPONSOR PLANS TO MANAGE, PRIORITIZE, AND
13 SEQUENCE EASEMENT AND LAND ACQUISITIONS;

14 (VI) METHODOLOGY FOR PRIORITIZING AND VALUING OR
15 APPRAISING EASEMENTS;

16 (VII) PROPOSED TITLEHOLDERS FOR EASEMENT OR FEE ESTATE
17 ACQUISITIONS; AND

18 (VIII) THE QUALITY OF THE PROPOSED STEWARDSHIP PROGRAM
19 FOR HOLDING AND MONITORING OF EASEMENT RESTRICTIONS IN PERPETUITY;

20 (6) THE STRENGTH AND QUALITY OF PARTNERSHIPS CREATED FOR
21 LAND CONSERVATION AMONG STATE AND LOCAL GOVERNMENTS AND LAND
22 TRUSTS FOR IMPLEMENTING THE PLAN, INCLUDING:

23 (I) FINANCIAL SUPPORT;

24 (II) DEDICATION OF STAFF AND RESOURCES; AND

25 (III) COMMITMENT TO AND DEVELOPMENT OF LOCAL LAND
26 CONSERVATION POLICIES, SUCH AS CHANGES IN ZONING AND USE OF
27 TRANSFERABLE DEVELOPMENT RIGHTS;

28 (7) THE EXTENT TO WHICH FEDERAL OR OTHER GRANT PROGRAMS
29 WILL SERVE AS A FUNDING MATCH; AND

30 (8) A SPONSOR'S ABILITY TO CARRY OUT THE PROPOSED RURAL
31 LEGACY PLAN AND THE GOALS AND OBJECTIVES OF THE PROGRAM.

32 (D) THE BOARD:

33 (1) SHALL REVIEW APPLICATIONS AND MAY REQUEST ADDITIONAL
34 INFORMATION FROM A SPONSOR;

35 (2) SHALL SUBMIT APPLICATIONS TO APPROPRIATE STATE AGENCIES
36 AND TO THE ADVISORY COMMITTEE ESTABLISHED BY THIS SUBTITLE AND
37 CONSIDER ANY RECOMMENDATIONS MADE REGARDING THE APPLICATIONS; AND

7

1 (3) MAY NEGOTIATE THE TERMS OF AN APPLICATION AND PROPOSED
2 RURAL LEGACY AREA AND PLAN WITH A SPONSOR.

3 (E) A SPONSOR SHALL ASSURE ADEQUATE PUBLIC PARTICIPATION IN THE
4 DEVELOPMENT OF AN APPLICATION AND PROVIDE THE BOARD WITH A SUMMARY
5 OF THAT PARTICIPATION.

6 (F) A LAND TRUST SHALL CONSULT WITH A LOCAL GOVERNMENT PRIOR TO
7 FILING AN APPLICATION, AND THE BOARD MAY NOT APPROVE AN APPLICATION
8 WITHOUT LOCAL GOVERNMENT APPROVAL.

9 (G) THE RIGHT OF PUBLIC ACCESS MAY NOT BE REQUIRED UNDER A
10 CONSERVATION EASEMENT.

11 (H) A LAND TRUST MAY NOT HOLD EXCLUSIVE TITLE TO REAL PROPERTY
12 INTERESTS ACQUIRED UNDER THIS SUBTITLE.

13 (I) AN EASEMENT ACQUIRED UNDER THIS SUBTITLE IS PERPETUAL AND
14 MAY NOT BE EXTINGUISHED OR RELEASED.

15 (J) WITH THE APPROVAL OF A LANDOWNER, FUNDS UNDER THIS PROGRAM
16 MAY BE USED TO PURCHASE A DEVELOPMENT RIGHT AS PART OF AN EASEMENT OR
17 FEE ESTATE ACQUISITION. A DEVELOPMENT RIGHT SHALL BE HELD BY THE
18 TITLEHOLDER AND THE BOARD AND MAY BE SOLD ONLY WITHIN THE SAME
19 JURISDICTION PURSUANT TO LOCAL LAW.

20 5-9A-06.

21 (A) THE BOARD MAY DESIGNATE A RURAL LEGACY AREA AND ACCEPT A
22 RURAL LEGACY PLAN IN ACCORDANCE WITH THE CRITERIA SET FORTH IN THIS
23 SUBTITLE AND THE OVERALL GOALS AND OBJECTIVES OF THE PROGRAM.

24 (B) (1) THE BOARD MAY AWARD A GRANT TO A SPONSOR OF A
25 DESIGNATED RURAL LEGACY AREA IN AN AMOUNT DETERMINED BY THE BOARD
26 AND PURSUANT TO THE TERMS OF A GRANT AGREEMENT.

27 (2) A PORTION OF THE GRANT MAY BE USED TO PAY FOR
28 ADMINISTRATIVE COSTS, INCLUDING COSTS ASSOCIATED WITH THE MONITORING
29 OF AN EASEMENT.

30 (3) THE BOARD MAY ESTABLISH TIME LIMITATIONS ON THE USE OF
31 GRANT FUNDS.

32 (C) (1) THE BOARD'S ACTIONS IN SUBSECTIONS (A) AND (B) OF THIS
33 SECTION ARE SUBJECT TO APPROVAL BY THE BOARD OF PUBLIC WORKS.

34 (2) BPW APPROVAL ENCUMBERS THE GRANT FUNDS.

35 (D) THE BOARD SHALL ENCOURAGE LOCAL GOVERNMENTS TO REFLECT
36 RURAL LEGACY PLANS IN THEIR COMPREHENSIVE LAND USE PLANS AS UPDATED
37 AND REVISED.

8

1 5-9A-07.

2 (A) THE BOARD AND THE APPROVED SPONSOR SHALL EXECUTE A GRANT
3 AGREEMENT.

4 (B) THE SPONSOR SHALL COMPLY WITH THE TERMS OF THE GRANT
5 AGREEMENT, CARRY OUT THE RURAL LEGACY PLAN, AND ADHERE TO
6 REGULATIONS ADOPTED BY THE BOARD.

7 (C) IF A SPONSOR VIOLATES ANY PROVISION OF THE GRANT AGREEMENT OR
8 CEASES TO MEET THE REQUIREMENTS OF THIS SUBTITLE, THE BOARD MAY
9 EXERCISE ANY REMEDY PROVIDED BY THE AGREEMENT OR BY LAW.

10 (D) (1) THE SPONSOR SHALL SUBMIT TO THE BOARD FOR APPROVAL
11 CONTRACTS FOR EASEMENT OR FEE ESTATE ACQUISITIONS.

12 (2) THE BOARD MAY ACCEPT A CONTRACT SUBJECT TO APPROVAL BY
13 THE BOARD OF PUBLIC WORKS.

14 (E) UPON BPW APPROVAL, A SPONSOR MAY SEEK PAYMENT FOR AN
15 ACQUISITION FROM THE DEPARTMENT OF NATURAL RESOURCES.

16 (F) THE SPONSOR SHALL SUBMIT AN ANNUAL REPORT TO THE RURAL
17 LEGACY BOARD.

18 5-9A-08.

19 (A) (1) THERE IS AN ADVISORY COMMITTEE TO THE BOARD IN THE
20 DEPARTMENT OF NATURAL RESOURCES.

21 (2) THE COMMITTEE IS ESTABLISHED TO REVIEW APPLICATIONS FOR
22 RURAL LEGACY AREAS, MAKE RECOMMENDATIONS FOR RURAL LEGACY AREA
23 DESIGNATIONS TO THE BOARD, AND CONSIDER SUCH OTHER MATTERS AS
24 REQUESTED BY THE BOARD.

25 (B) THE COMMITTEE HAS NINE MEMBERS AS FOLLOWS:

26 (1) A TRUSTEE OF THE MARYLAND AGRICULTURAL LAND
27 PRESERVATION FOUNDATION;

28 (2) A TRUSTEE OF THE MARYLAND ENVIRONMENTAL TRUST;

29 (3) A REPRESENTATIVE OF THE AGRICULTURE INDUSTRY;

30 (4) A REPRESENTATIVE OF A NONPROFIT LAND CONSERVATION
31 ORGANIZATION;

32 (5) A REPRESENTATIVE OF A NONPROFIT ENVIRONMENTAL
33 ORGANIZATION;

34 (6) A REPRESENTATIVE OF THE FOREST INDUSTRY;

35 (7) A REPRESENTATIVE OF A LOCAL GOVERNMENT DEPARTMENT OF
36 PARKS AND RECREATION;

9

1 (8) A REPRESENTATIVE OF A BUSINESS ORGANIZATION; AND

2 (9) A PRIVATE LAND OWNER.

3 (C) (1) COMMITTEE MEMBERS ARE APPOINTED BY THE GOVERNOR WITH
4 THE ADVICE AND CONSENT OF THE SENATE.

5 (2) THE GOVERNOR SHALL SOLICIT NOMINEES FROM INDUSTRIES AND
6 GROUPS WHICH ARE REPRESENTED ON THE COMMITTEE.

7 (3) THE MEMBERS SHALL REPRESENT GEOGRAPHICALLY DIVERSE
8 AREAS.

9 (D) (1) THE TERM OF MEMBERSHIP IS 3 YEARS.

10 (2) A PERSON MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.

11 (E) THE GOVERNOR SHALL DESIGNATE THE CHAIRPERSON OF THE
12 COMMITTEE.

13 (F) THE DEPARTMENT OF NATURAL RESOURCES, IN COOPERATION WITH
14 THE DEPARTMENT OF AGRICULTURE AND THE OFFICE OF PLANNING, SHALL
15 PROVIDE STAFF SUPPORT FOR THE COMMITTEE.

16 **Article - Tax - Property**

17 13-209.

18 (c) (1) Subject to subsection (e) of this section, [for fiscal years commencing
19 before July 1, 1997] the balance of the revenue in the special fund, not required under
20 subsection (b) of this section, shall be allocated as provided in this subsection.

21 (2) For the fiscal year commencing July 1, 1993, 50% of the balance shall be
22 allocated as provided under paragraph (5) of this subsection and 50% shall be allocated
23 to the General Fund of the State.

24 (3) For the fiscal year commencing July 1, 1994, 70% of the balance shall be
25 allocated as provided under paragraph (5) of this subsection and 30% shall be allocated
26 to the General Fund of the State.

27 (4) For each of the fiscal years commencing July 1, 1995 and July 1, 1996,
28 90% of the balance shall be allocated as provided under subsection (d) of this section and
29 10% shall be allocated to the General Fund of the State.

30 (5) For each of the fiscal years commencing July 1, 1993 and July 1, 1994,
31 the percentage of the balance specified for the fiscal year under paragraph (2) or (3) of
32 this subsection shall be allocated as follows:

33 (i) not less than \$1,000,000 for reduction of State debt authorized
34 under the Outdoor Recreation Land Loan of 1969; and

35 (ii) the remainder not allocated under item (i) of this paragraph shall
36 be allocated as follows:

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1 1. 84.2% in the State budget for the purposes specified in Title
2 5, Subtitle 9 of the Natural Resources Article (Program Open Space);

3 2. 13.2% in the State budget for the Agricultural Land
4 Preservation Fund established under § 2-505 of the Agriculture Article; and

5 3. 2.6% in the State budget for the Heritage Conservation Fund
6 established under Title 5, Subtitle 15 of the Natural Resources Article.

7 (6) FOR THE FISCAL YEAR COMMENCING JULY 1, 1997 AND FOR EACH
8 SUBSEQUENT FISCAL YEAR, 90% OF THE BALANCE SHALL BE ALLOCATED AS
9 PROVIDED UNDER SUBSECTION (D) OF THIS SECTION AND 10% SHALL BE
10 ALLOCATED TO THE RURAL LEGACY PROGRAM ESTABLISHED UNDER TITLE 5,
11 SUBTITLE 9A OF THE NATURAL RESOURCES ARTICLE.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 1997.