

Unofficial Copy  
M1

1997 Regular Session  
7lr1852

CF 7lr2046

---

**By: The President (Administration) and Senators Collins, Blount, Frosh, Hollinger, Craig, Green, Van Hollen, Dorman, and Middleton**

Introduced and read first time: January 27, 1997

Rule 32(d) suspended

Assigned to: Budget and Taxation

---

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

2

1 (1994 Replacement Volume and 1996 Supplement)

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

4 **Article - Natural Resources**

5 5-903.

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

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

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

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

39 SUBTITLE 9A. RURAL LEGACY PROGRAM.

40 5-9A-01.

41 (A) THE GENERAL ASSEMBLY DECLARES THAT:

1 (1) SPRAWL DEVELOPMENT AND OTHER MODIFICATIONS TO THE  
2 LANDSCAPE IN MARYLAND CONTINUE AT AN ALARMING RATE, CONSUMING LAND  
3 RICH IN NATURAL RESOURCE AND AGRICULTURAL VALUE, ADVERSELY AFFECTING  
4 WATER QUALITY, WETLANDS AND HABITAT, THREATENING RESOURCE-BASED  
5 ECONOMIES AND CULTURAL ASSETS, AND RENDING THE FABRIC OF RURAL LIFE;

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

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

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

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

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

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

35 5-9A-02.

36 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
37 INDICATED.

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

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

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

4

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.

5

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:

10

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.