**Unofficial Copy** C8

1998 Regular Session (8lr2634)

## ENROLLED BILL

-- Economic Matters/Budget and Taxation --

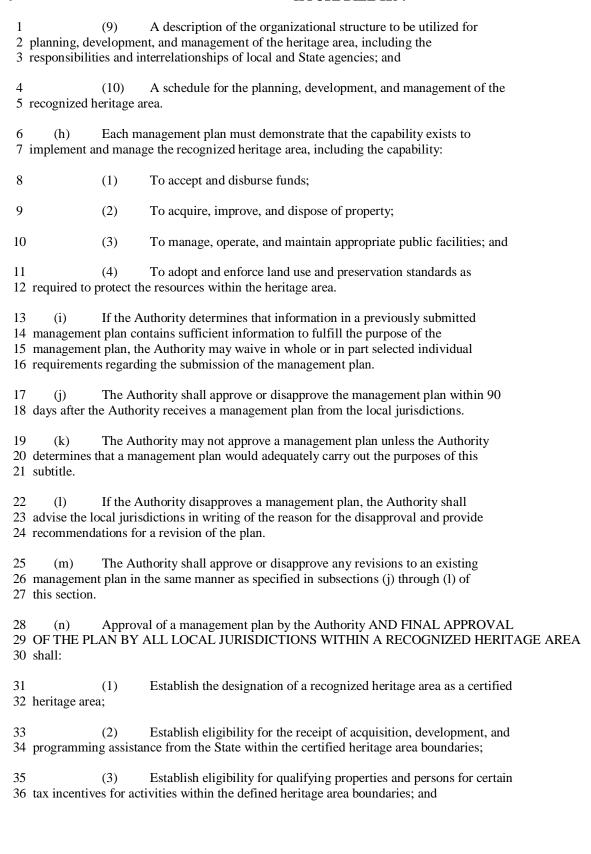
Introduced by <b>Delegate Taylor</b>	
Read and Examined by Proofreaders:	
	Proofreader.
Sealed with the Great Seal and presented to the Governor, for his approval this day of at o'clock,M.	Proofreader.
	Speaker.
CHAPTER	
1 AN ACT concerning	
The Maryland Heritage Areas Authority and the Maryland System of Recognized and Certified Heritage Areas	
FOR the purpose of clarifying the procedure for adoption of certified heritage area management plans; clarifying the number of heritage areas that may be certified; repealing a sunset provision on certain uses of certain funds in the Maryland Heritage Areas Authority Financing Fund; and generally relating to the Maryland Heritage Areas Authority.	
9 BY repealing and reenacting, with amendments, 10 Article - Financial Institutions 11 Section 13-1111 and 13-1114 12 Annotated Code of Maryland 13 (1998 Replacement Volume)	

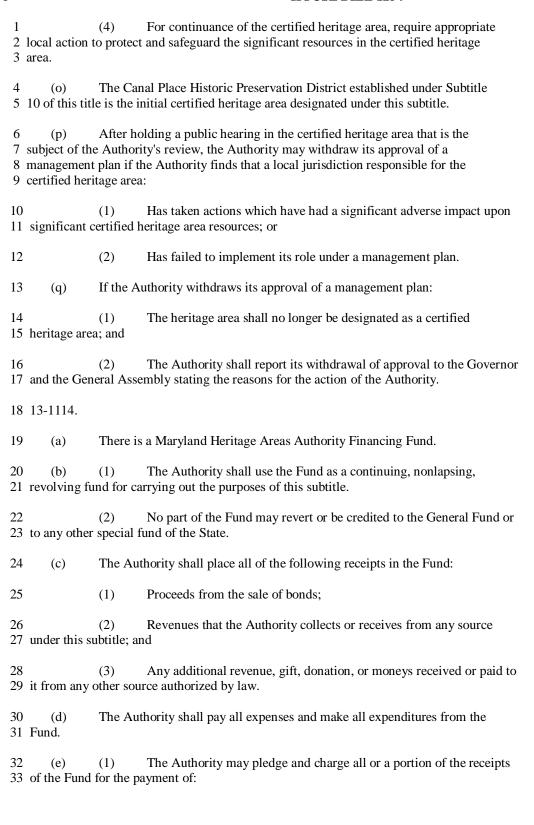
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

15 MARYLAND, That the Laws of Maryland read as follows:

### 1 **Article - Financial Institutions** 2 13-1111. 3 (a) (1) The Authority may consider proposals submitted by the local 4 jurisdictions within a recognized heritage area to designate recognized heritage areas 5 as certified heritage areas. The sponsoring local jurisdictions shall prepare a proposal that 6 (2) 7 includes a management plan for the recognized heritage area. 8 The local jurisdictions shall develop the management plan in (3)cooperation and consultation with the Authority and relevant private interests. 10 On approval of the management plan by the Authority AND ALL 11 LOCAL JURISDICTIONS WITHIN THE RECOGNIZED HERITAGE AREA: 12 The Authority shall designate the recognized heritage area as a 13 certified heritage area; and 14 The management plan shall be the plan for purposes of 15 implementing the certified heritage area for both the State and local jurisdictions. The Authority shall adopt regulations that specify the criteria and procedures for the consideration and adoption of a proposed management plan. 17 18 The Authority may not designate more than two recognized heritage areas 19 as certified heritage areas [in] FOR each fiscal year. 20 (d) The Authority shall hold at least one public hearing concerning the 21 proposed management plan for a recognized heritage area in each recognized heritage 22 area proposed for designation as a certified heritage area. 23 (e) Before submission of a management plan to the Authority for approval, the management plan must be submitted for approval to the local governing body of each jurisdiction within the recognized heritage area in the form of an amendment to the 26 local plan. 27 The management plan shall be submitted to the Authority within 28 forty-five days after PRELIMINARY approval by all local jurisdictions within the 29 recognized heritage area. 30 (g) A management plan for a certified heritage area shall include: 31 (1) An identification of: 32 The boundaries of the recognized heritage area as set forth in (i) the original designation or as proposed for revision by the management plan; 34 The land use recommendations of the local plans of all of the (ii) 35 local jurisdictions within the recognized heritage area; and

	(iii) The zones within the recognized heritage area for particular nature and intensity of use, including zones most appropriately devoted to public use and development by State or local government, and for private use;
4 5	(2) An inventory and evaluation of the significant natural and cultural resources within the recognized heritage area;
6 7	(3) An identification of the types of public and private uses to be encouraged within the recognized heritage area;
8 9	(4) An identification of properties, if any, to be acquired, in whole or in part;
10 11	(5) A description of the educational, interpretive, and recreational programs and projects to be undertaken in the recognized heritage area;
12 13	(6) A description of plans for encouraging and accommodating visitation to and compatible economic development of the recognized heritage area;
	(7) An economic assessment of the long and short term costs and benefits related to the implementation of the management plan, including an identification of expected sources of funding;
	(8) A description of the techniques or means for the preservation and protection of the natural and cultural resources within the recognized heritage area, including:
22	(i) Appropriate existing or proposed local legislation for the designation and protection of historic properties or natural areas to assure that future local actions and development will be consistent with the goals and objectives for the recognized heritage area; and
	(ii) If the plan proposes the enactment of one or more ordinances to provide for one or more historic preservation commissions for specific sites, structures, or districts within the recognized heritage area, provisions that:
27 28	1. Are consistent with Article 66B, §§ 8.01 through 8.17 of the Code;
31	2. Provide for membership on the Historic Preservation Commission in accordance with the minimum professional requirements of the United States Department of the Interior for certifying local governments under 36 C.F.R. Part 61; and
35	3. Provide that the Historic Preservation Commission review and approve the design of all projects that the local jurisdiction conducts, assists, licenses, or permits that affect designated historic properties within the recognized heritage area;





1			(i)	Debt service on bonds of the Authority; and		
2 3	Authority and	manage	(ii) ement of	All reasonable charges and expenses related to borrowing by the the obligations of the Authority.		
4 5		(2) 13-1119		e made under paragraph (1) of this subsection is effective as ubtitle and any applicable resolution of the Authority.		
6	(f)	The Stat	e Treasur	rer shall:		
7	(	(1)	Invest a	nd reinvest the Fund in the same manner as State funds; and		
8	(	(2)	Transfer	any investment earnings to the credit of the Fund.		
	Authority" m		moneys	ubsection, "Program Open Space funds transferred to the appropriated to the Fund from Program Open Space Natural Resources Article.		
14	12 (2) Except as provided in paragraph (3) of this subsection, Program Open 13 Space funds transferred to the Authority may not be used to pay the operating 14 expenses of the Authority, debt service of bonds issued by the Authority, or 15 administrative expenses related to bonds issued by the Authority.					
16 17	30, <del>1998</del> <u>200</u>	(3) <u>1</u> :	For the	period beginning October 1, 1996 and ending on September		
18 19	Authority ma	y be use	(i) <del>]</del> ed to pay	Up to 10% of Program Open Space funds transferred to the the operating expenses of the Authority et and		
20 21	to the Author	ity may	(ii) be expen	Up] AND UP to 50% of Program Open Space funds transferred ded for debt service on bonds issued by the Authority.		
22 23	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.					