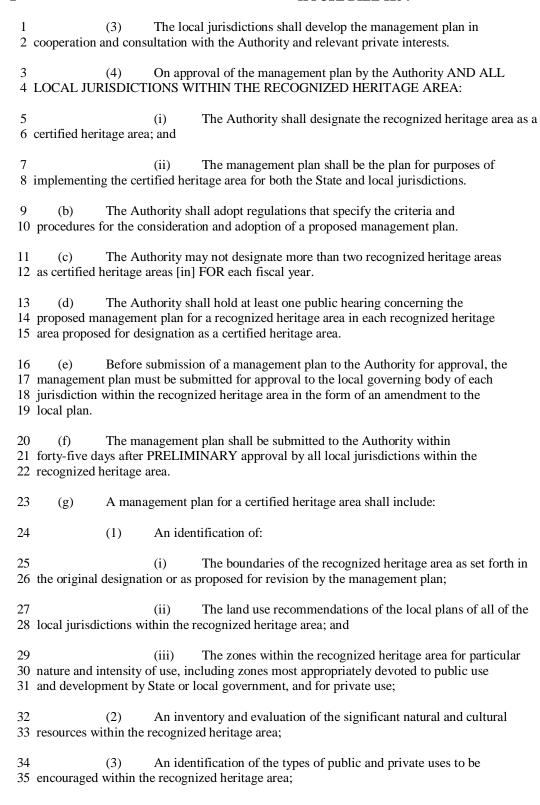
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By: <b>Delegate Taylor</b> Introduced and read first time: February 13, 1998	
Assigned to: Economic Matters	
Committee Report: Favorable	
House action: Adopted Read second time: March 19, 1998	
CHAPTER	
1 AN ACT concerning	
2 The Maryland Heritage Areas Authority and the Maryland System of	
Recognized and Certified Heritage Areas	
4 FOR the purpose of clarifying the procedure for adoption of certified heritage area	
5 management plans; clarifying the number of heritage areas that may be 6 certified; repealing a sunset provision on certain uses of certain funds in the	
7 Maryland Heritage Areas Authority Financing Fund; and generally relating to	
8 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)	
14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF	
15 MARYLAND, That the Laws of Maryland read as follows:	
16 Article - Financial Institutions	
17 13-1111.	
18 (a) (1) The Authority may consider proposals submitted by the local	
19 jurisdictions within a recognized heritage area to designate recognized heritage areas 20 as certified heritage areas.	
21 (2) The sponsoring local jurisdictions shall prepare a proposal that 22 includes a management plan for the recognized heritage area.	
22 metados a management plan for the recognized nettage area.	



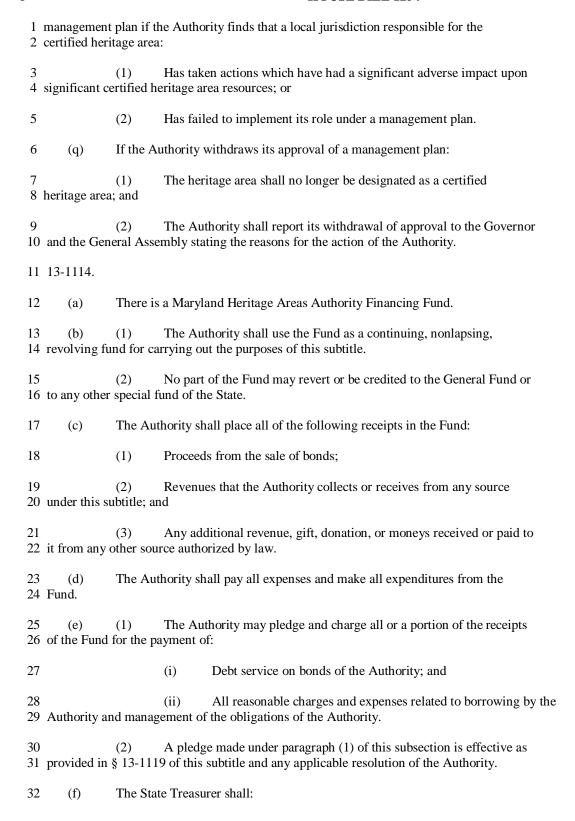
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1 2	(4) An identification of properties, if any, to be acquired, in whole or in part;
3	(5) A description of the educational, interpretive, and recreational programs and projects to be undertaken in the recognized heritage area;
5 6	(6) A description 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:
15	(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:
20 21	1. Are consistent with Article 66B, §§ 8.01 through 8.17 of the Code;
24	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
28	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;
	(9) A description of the organizational structure to be utilized for planning, development, and management of the heritage area, including the responsibilities and interrelationships of local and State agencies; and
33 34	(10) A schedule for the planning, development, and management of the recognized heritage area.
35 36	(h) Each management plan must demonstrate that the capability exists to implement and manage the recognized heritage area, including the capability:
37	(1) To accept and disburse funds;

(p)

**HOUSE BILL 1254** 1 (2) To acquire, improve, and dispose of property; 2 (3) To manage, operate, and maintain appropriate public facilities; and 3 (4) To adopt and enforce land use and preservation standards as 4 required to protect the resources within the heritage area. 5 If the Authority determines that information in a previously submitted (i) 6 management plan contains sufficient information to fulfill the purpose of the 7 management plan, the Authority may waive in whole or in part selected individual requirements regarding the submission of the management plan. 9 The Authority shall approve or disapprove the management plan within 90 10 days after the Authority receives a management plan from the local jurisdictions. 11 The Authority may not approve a management plan unless the Authority 12 determines that a management plan would adequately carry out the purposes of this 13 subtitle. 14 (1) If the Authority disapproves a management plan, the Authority shall 15 advise the local jurisdictions in writing of the reason for the disapproval and provide 16 recommendations for a revision of the plan. 17 The Authority shall approve or disapprove any revisions to an existing 18 management plan in the same manner as specified in subsections (j) through (l) of 19 this section. 20 Approval of a management plan by the Authority AND FINAL APPROVAL (n) 21 OF THE PLAN BY ALL LOCAL JURISDICTIONS WITHIN A RECOGNIZED HERITAGE AREA 22 shall: 23 (1) Establish the designation of a recognized heritage area as a certified 24 heritage area; 25 Establish eligibility for the receipt of acquisition, development, and 26 programming assistance from the State within the certified heritage area boundaries; Establish eligibility for qualifying properties and persons for certain 27 28 tax incentives for activities within the defined heritage area boundaries; and 29 For continuance of the certified heritage area, require appropriate (4) 30 local action to protect and safeguard the significant resources in the certified heritage 31 area. 32 (o) The Canal Place Historic Preservation District established under Subtitle 33 10 of this title is the initial certified heritage area designated under this subtitle. 34 After holding a public hearing in the certified heritage area that is the

35 subject of the Authority's review, the Authority may withdraw its approval of a



17 effect July 1, 1998.

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1 (1) Invest and reinvest the Fund in the same manner as State funds; and 2 (2) Transfer any investment earnings to the credit of the Fund. 3 (g) (1) In this subsection, "Program Open Space funds transferred to the 4 Authority" means the moneys appropriated to the Fund from Program Open Space 5 funds under § 5-903(a) of the Natural Resources Article. Except as provided in paragraph (3) of this subsection, Program Open 6 (2) 7 Space funds transferred to the Authority may not be used to pay the operating 8 expenses of the Authority, debt service of bonds issued by the Authority, or administrative expenses related to bonds issued by the Authority. [For the period beginning October 1, 1996 and ending on September 10 (3) 11 30, 1998: 12 (i)] Up to 10% of Program Open Space funds transferred to the 13 Authority may be used to pay the operating expenses of the Authority[; and 14 Up] AND UP to 50% of Program Open Space funds transferred (ii) 15 to the Authority may be expended for debt service on bonds issued by the Authority. SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take 16