

HOUSE BILL 404

Unofficial Copy  
M1

2001 Regular Session  
(11r1690)

**ENROLLED BILL**  
-- Appropriations/Budget and Taxation --

Introduced by **Delegate Edwards**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Program Open Space - Attainment of Acquisition Goals - Increase in**  
3 **Development Allocation**

4 FOR the purpose of increasing the amount a local government can spend on  
5 development projects after it has attained its acquisition goals under Program  
6 Open Space; *providing for the termination of this Act*; and generally relating to  
7 apportionment of local government funds for Program Open Space after the  
8 acquisition goals have been obtained.

9 BY repealing and reenacting, with amendments,  
10 Article - Natural Resources  
11 Section 5-905(c)(1)  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume)

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

1

**Article - Natural Resources**

2 5-905.

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

7 (ii) If the Department and the Department of Planning certify that  
8 acquisition goals set forth in the current, approved local land preservation and  
9 recreation plan have been met and that such acreage attainment equals or exceeds  
10 the minimum recommended acreage goals developed for that jurisdiction under the  
11 Maryland Land Preservation and Recreation Plan, a local governing body may use up  
12 to [75] 100 percent of its future annual apportionment for development projects for a  
13 period of 5 years after attainment, provided that up to 20 percent of the funds  
14 authorized for use for development projects under this subparagraph may be used for  
15 capital renewal.

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

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

23 2. In addition to the submission required under subsection  
24 (b)(2).

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2001. It shall remain effective for a period of 5 years and, at the end of  
27 September 30, 2006, with no further action required by the General Assembly, this Act  
28 shall be abrogated and of no further force and effect.