
By: **Delegate Edwards**

Introduced and read first time: February 1, 2001

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2001

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; and generally relating to apportionment of local government funds
7 for Program Open Space after the acquisition goals have been obtained.

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

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

15 **Article - Natural Resources**

16 5-905.

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

21 (ii) If the Department and the Department of Planning certify that
22 acquisition goals set forth in the current, approved local land preservation and

1 recreation plan have been met and that such acreage attainment equals or exceeds
2 the minimum recommended acreage goals developed for that jurisdiction under the
3 Maryland Land Preservation and Recreation Plan, a local governing body may use up
4 to [75] 100 percent of its future annual apportionment for development projects for a
5 period of 5 years after attainment, provided that up to 20 percent of the funds
6 authorized for use for development projects under this subparagraph may be used for
7 capital renewal.

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

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

15 2. In addition to the submission required under subsection
16 (b)(2).

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2001.