
By: **Delegate Guns**

Introduced and read first time: February 22, 2001

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Natural Resources - Maryland GreenPrint Program**

3 FOR the purpose of establishing a certain Maryland GreenPrint Program in the
4 Department of Natural Resources; specifying a certain purpose for the Program;
5 requiring the Department to identify certain areas in a certain manner, to
6 publish certain information, and to periodically review and update certain
7 information; prohibiting the acquisition of certain property by use of a certain
8 authority; prohibiting the Department from utilizing Program funding for
9 certain acquisitions unless under a certain circumstance; authorizing the
10 Department to use certain funds in a certain manner; authorizing the
11 Department to adopt certain regulations; prohibiting the Program from funding
12 certain acquisitions; providing for the construction of this Act; providing for the
13 termination of this Act; defining certain terms; requiring the Department to
14 provide certain reports by certain dates; and generally relating to the
15 establishment of the Maryland GreenPrint Program in the Department of
16 Natural Resources.

17 BY adding to
18 Article - Natural Resources
19 Section 5-15A-01 through 5-15A-05 to be under the new subtitle "Subtitle 15A.
20 Maryland GreenPrint Program"
21 Annotated Code of Maryland
22 (2000 Replacement Volume)

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

25 **Article - Natural Resources**

26 **SUBTITLE 15A. MARYLAND GREENPRINT PROGRAM.**

27 5-15A-01.

28 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
29 INDICATED.

1 (B) "PRIORITY FUNDING AREA" HAS THE MEANING STATED IN § 5-7B-02 OF
2 THE STATE FINANCE AND PROCUREMENT ARTICLE.

3 (C) "PROGRAM" MEANS THE MARYLAND GREENPRINT PROGRAM
4 ESTABLISHED UNDER THIS SUBTITLE.

5 5-15A-02.

6 (A) THERE IS A MARYLAND GREENPRINT PROGRAM IN THE DEPARTMENT.

7 (B) THE PURPOSE OF THE PROGRAM IS TO CREATE A STATEWIDE GREEN
8 INFRASTRUCTURE NETWORK BY THE ACQUISITION OF PROPERTY AND PROPERTY
9 INTERESTS, INCLUDING EASEMENTS, IN A MANNER THAT COMPLIMENTS ALREADY
10 EXISTING CONSERVATION PROGRAMS, INCLUDING:

11 (I) PROGRAM OPEN SPACE UNDER SUBTITLE 9 OF THIS TITLE;

12 (II) THE RURAL LEGACY PROGRAM UNDER SUBTITLE 9A OF THIS
13 TITLE; AND

14 (III) THE MARYLAND AGRICULTURAL LAND PRESERVATION
15 PROGRAM UNDER TITLE 2, SUBTITLE 5 OF THE AGRICULTURE ARTICLE

16 (C) THE PROGRAM SHALL BE FUNDED AS PROVIDED IN THE STATE BUDGET.

17 (D) THE DEPARTMENT MAY USE PROGRAM FUNDS TO:

18 (1) ACQUIRE REAL PROPERTY INTERESTS IN THE GREENPRINT
19 NETWORK IN ACCORDANCE WITH THIS SUBTITLE AND THE ACQUISITION
20 PROCEDURES FOR PROGRAM OPEN SPACE PROJECTS SET FORTH IN TITLE 4,
21 SUBTITLE 4, PART III OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND
22 SECTION 5-904(D) OF THIS ARTICLE; AND

23 (2) PROVIDE GRANTS TO LOCAL GOVERNMENTS AND LAND TRUSTS TO
24 ACQUIRE REAL PROPERTY INTERESTS IN THE GREEN INFRASTRUCTURE NETWORK.

25 (E) THE DEPARTMENT SHALL:

26 (1) IDENTIFY AREAS THAT FORM THE GREENPRINT INFRASTRUCTURE
27 NETWORK;

28 (2) PUBLISH THE RESULTS OF THE IDENTIFICATION PROCESS; AND

29 (3) PERIODICALLY REVIEW AND UPDATE THE IDENTIFICATION OF THE
30 GREENPRINT INFRASTRUCTURE NETWORK.

31 (F) A PROPERTY OR PROPERTY INTEREST MAY NOT BE ACQUIRED FOR THE
32 PURPOSES OF THE PROGRAM BY USE OF STATE OR LOCAL CONDEMNATION
33 AUTHORITY.

1 5-15A-03.

2 UNLESS EACH AFFECTED LOCAL GOVERNMENT APPROVES BY RESOLUTION AN
3 ACQUISITION OF PROPERTY OR A PROPERTY INTEREST LOCATED WITHIN ITS
4 JURISDICTION, THE DEPARTMENT MAY NOT UTILIZE PROGRAM FUNDING RELATED
5 TO AN ACQUISITION:

6 (A) WITHIN A PRIORITY FUNDING AREA; OR

7 (B) LESS THAN 1 MILE FROM THE BOUNDARY OF A PRIORITY FUNDING AREA.
8 5-15A-04.

9 ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL REPORT
10 ON EXPENDITURES MADE THROUGH THE GREENPRINT PROGRAM TO THE GOVERNOR
11 AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE
12 GENERAL ASSEMBLY.

13 5-15A-05.

14 THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY TO IMPLEMENT THE
15 PROVISIONS OF THIS SUBTITLE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the GreenPrint Program
17 may not fund the acquisition of property or property interests in a manner that is
18 inconsistent with county comprehensive plans or in a manner intending to, or
19 resulting in, substantial restriction of the future expansion of a priority funding area.

20 SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act may
21 be construed to limit, expand, or otherwise alter the authority of local governments,
22 the Maryland-National Capital Park and Planning Commission, or the Washington
23 Suburban Sanitary Commission to regulate planning, zoning, and subdivision, as
24 provided under Articles 23A, 25, 25A, 28, and 66B of the Code.

25 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2001. It shall remain effective for a period of 5 years and, at the end of June
27 30, 2006, with no further action required by the General Assembly, this Act shall be
28 abrogated and of no further force and effect.