
By: **Delegates Doory and McIntosh**

Introduced and read first time: January 31, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Program Open Space Funds - Transfer to Maryland**
3 **Heritage Areas Authority Financing Fund**

4 FOR the purpose of increasing the amount of money authorized to be transferred in a
5 certain manner to the Maryland Heritage Areas Authority Financing Fund from
6 certain funds distributed to Program Open Space; and generally relating to the
7 Maryland Heritage Areas Authority Financing Fund and funding for Program
8 Open Space.

9 BY repealing and reenacting, with amendments,
10 Article - Natural Resources
11 Section 5-903(a)
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2004 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article - Natural Resources
16 Section 5-903(b)
17 Annotated Code of Maryland
18 (2000 Replacement Volume and 2004 Supplement)

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

21 **Article - Natural Resources**

22 5-903.

23 (a) (1) Of the funds distributed to Program Open Space under § 13-209 of
24 the Tax - Property Article, [\$1,000,000] UP TO \$3,000,000 may be transferred by an
25 appropriation in the State budget, or by an amendment to the State budget under
26 Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland
27 Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of
28 the Financial Institutions Article to be used for the purposes provided in that subtitle.

1 (2) (i) Of the remaining funds not appropriated under paragraph (1) of
2 this subsection, one half of the funds shall be used for recreation and open space
3 purposes by the Department and the Historic St. Mary's City Commission. Except as
4 otherwise provided in this section, any funds the General Assembly appropriates to
5 the State under this subsection shall be used only for land acquisition projects.

6 (ii) A portion of the State's share of funds available under this
7 program shall be utilized to make grants to Baltimore City for projects which meet
8 park purposes. The grants shall be in addition to any funds Baltimore City is eligible
9 to receive under subsection (b) of this section, and may be used for acquisition or
10 development. In order for Baltimore City to be eligible for a State grant, the
11 Department shall review projects or land to be acquired within Baltimore City, and
12 upon the Department's recommendation, the Board of Public Works may approve
13 projects and land including the cost. Title to the land shall be in the name of the
14 Mayor and City Council of Baltimore City. The State is not responsible for costs
15 involved in the development or maintenance of the land.

16 (iii) 1. A portion of the State's share of funds available under this
17 Program not to exceed the amounts specified below may be transferred by an
18 appropriation in the State budget to the Rural Legacy Program under Title 5, Subtitle
19 9A of this article:

20 A. In fiscal year 1998, \$4 million;

21 B. In fiscal year 1999, \$5 million;

22 C. In fiscal year 2000, \$6 million;

23 D. In fiscal year 2001, \$7 million; and

24 E. In fiscal year 2002 and each fiscal year thereafter, \$8
25 million.

26 2. In each fiscal year, up to \$2 million of the funds
27 transferred under this subparagraph to the Rural Legacy Program may be used to
28 purchase zero coupon bonds for easements.

29 3. Sums allocated to the Rural Legacy Program may not
30 revert to the General Fund of the State.

31 (b) Of the remaining funds not appropriated under subsection (a)(1) of this
32 section, the General Assembly shall appropriate the other half of the funds to assist
33 local governing bodies in acquisition and development of land for recreation and open
34 space purposes.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2005.