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By: **Delegate Edwards**

Introduced and read first time: February 2, 2005

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2005

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources - Forest or Park Reserve Fund - Payments to Counties**

3 FOR the purpose of altering certain provisions relating to annual payments made to  
4 counties from the State Forest or Park Reserve Fund to require the Department  
5 of Natural Resources to pay counties a certain percentage of the gross revenue  
6 derived from the State forest or park reserve located in the county; making this  
7 Act an emergency measure; and generally relating to the Forest or Park Reserve  
8 Fund.

9 BY repealing and reenacting, with amendments,  
10 Article - Natural Resources  
11 Section 5-212  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume and 2004 Supplement)

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

16 **Article - Natural Resources**

17 5-212.

18 (a) In this section, "Fund" means the Forest or Park Reserve Fund.

19 (b) There is a Forest or Park Reserve Fund in the Department.

20 (c) The purpose of the Fund is to enable the Department to purchase and  
21 manage in the name of the State lands suitable for forest culture, reserves, watershed

1 protection, State parks, scenic preserves, historic monuments, parkways, and State  
2 recreational reserves.

3 (d) The Department shall administer the Fund.

4 (e) (1) The Treasurer shall hold the Fund separately and the Comptroller  
5 shall account for the Fund.

6 (2) The Fund is a special, nonlapsing fund that is not subject to § 7-302  
7 of the State Finance and Procurement Article.

8 (f) The Fund consists of:

9 (1) Any money obtained from the State forest reserves, State parks,  
10 scenic reserves, parkways, historic monuments, and recreation areas;

11 (2) Revenue distributed to the Fund from fines collected under § 5-1302  
12 of this title; and

13 (3) Revenue received by the Fund under § 5-207(b) of this subtitle.

14 (g) The Fund may be used only for:

15 (1) Purchasing and managing in the name of the State lands suitable for  
16 forest culture, reserves, watershed protection, State parks, scenic preserves, historic  
17 monuments, parkways, and State recreational reserves;

18 (2) Annual payments to counties in the amount of:

19 (i) If the State forest or park reserve comprises less than 10% of  
20 the total land area of the county, a sum equal to 15% of the [net] revenue derived  
21 from the State forest or park reserve located in that county; and

22 (ii) If the State forest or park reserve comprises 10% or more of the  
23 total land area of the county, a sum equal to 25% of the [net] revenue derived from  
24 the State forest or park reserve located in that county; and

25 (3) Administrative costs calculated in accordance with § 1-103(b)(2) of  
26 this article.

27 (h) (1) The Treasurer shall invest the money of the Fund in the same  
28 manner as other State money may be invested.

29 (2) Any investment earnings of the Fund shall be credited to the General  
30 Fund of the State.

31 (i) Expenditures from the Fund may be made only in accordance with the  
32 State budget.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
34 measure, is necessary for the immediate preservation of the public health or safety,

1 has been passed by a yea and nay vote supported by three-fifths of all the members  
2 elected to each of the two Houses of the General Assembly, and shall take effect from  
3 the date it is enacted.