

HOUSE BILL 69

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71r0441
CF SB 49

By: **Delegate Cane (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Delegates Beidle, Boteler, Braveboy, V. Clagett, Eckardt, Elmore, Frank, Haddaway, Hubbard, Jennings, Love, Mathias, Morhaim, Proctor, Rudolph, Smigiel, Sophocleus, Sossi, Walkup, ~~and Weir~~ Weir, Lawton, Shewell, and Stull**

Introduced and read first time: January 22, 2007

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2007

CHAPTER _____

1 AN ACT concerning

2 **Program Open Space – Attainment of Acquisition Goals – Increased**
3 **Allocation for Local Government**

4 FOR the purpose of altering the amount a local government can spend on development
5 projects after it has attained its acquisition goals under Program Open Space;
6 and generally relating to the apportionment of local government funds for
7 Program Open Space.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 5–905(c)(1)
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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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
8 that 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 the
10 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
17 funds 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
24 subsection (b)(2).

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 June 1, 2007.