

# HOUSE BILL 967

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By: **Delegate O'Donnell**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Program Open Space – Capital Improvements – Maryland Historical Trust**  
3 **and Historic St. Mary's City Commission**

4 FOR the purpose of providing that certain Program Open Space funds available for  
5 capital improvements on State land may be appropriated for use by the  
6 Maryland Historical Trust for certain purposes or the Historic St. Mary's City  
7 Commission; and generally relating to funding for capital improvements for the  
8 Maryland Historical Trust and the Historic St. Mary's City Commission.

9 BY repealing and reenacting, without amendments,  
10 Article – Natural Resources  
11 Section 5–903(a)(2)(i)  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2006 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Natural Resources  
16 Section 5–903(g)  
17 Annotated Code of Maryland  
18 (2005 Replacement Volume and 2006 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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-903.

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

7 (g) (1) For the fiscal year commencing July 1, 1990, any amount  
8 appropriated in the State budget, and for each subsequent fiscal year, up to 25 percent  
9 of the State's share of funds that would be available under the program if 100 percent  
10 of the funds not required under § 13-209(b) of the Tax - Property Article were  
11 available for distribution as provided in § 13-209(d)(3) of the Tax - Property Article  
12 may be used for capital improvements on land owned by the State for the use of the  
13 Department, **THE MARYLAND HISTORICAL TRUST FOR MUSEUMS OPERATED BY**  
14 **THE TRUST, OR THE HISTORIC ST. MARY'S CITY COMMISSION**, if the  
15 improvements are:

16 (i) Approved in the State budget; and

17 (ii) Compatible with:

18 1. Any master plan developed for the land; and

19 2. The natural features of the land.

20 (2) (i) For the fiscal year commencing July 1, 1996, up to 12.5% of  
21 the State's share of funds available for capital improvements may be used to operate  
22 State forests and parks, but only if the funds expended for operating costs do not  
23 exceed the portion of the State allocation available under this subsection that is  
24 derived from current revenues, as distinguished from proceeds of bond issues.

25 (ii) For the fiscal year commencing July 1, 1997, up to  
26 \$1,000,000 of the State's share of funds available for capital improvements may be  
27 used to operate State forests and parks, but only if the funds expended for operating  
28 costs do not exceed the portion of the State allocation available under this subsection  
29 that is derived from current revenues, as distinguished from proceeds of bond issues.

30 (iii) For the fiscal year commencing July 1, 1998, and all  
31 subsequent fiscal years, up to \$1,200,000 of the State's share of funds available for  
32 capital improvements may be used to operate State forests and parks, but only if the  
33 funds expended for operating costs do not exceed the portion of the State allocation

1 available under this subsection that is derived from current revenues, as distinguished  
2 from proceeds of bond issues.

3 (iv) The only wages that can be paid with the portion of the  
4 State's share of funds authorized under subparagraphs (ii) and (iii) of this paragraph  
5 are the wages of employees in the State forests and parks.

6 (3) If the General Assembly amends the Budget Bill to strike out an  
7 improvement or operating costs under this subsection submitted by the Governor, the  
8 Governor may consider reallocating the funds through a supplemental budget for the  
9 same fiscal year:

10 (i) To finance specific alternative land acquisition, development  
11 projects, or operating costs; or

12 (ii) To the Advance Option and Purchase Fund established  
13 under § 5-904(b) of this subtitle.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2007.