

HOUSE BILL 967

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71r2024

By: **Delegate O'Donnell**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 20, 2007

CHAPTER _____

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)

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.



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

3 **Article – Natural Resources**

4 5–903.

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

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

19 (i) Approved in the State budget; and

20 (ii) Compatible with:

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

22 2. The natural features of the land.

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

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

1 (iii) For the fiscal year commencing July 1, 1998, and all
2 subsequent fiscal years, up to \$1,200,000 of the State's share of funds available for
3 capital improvements may be used to operate State forests and parks, but only if the
4 funds expended for operating costs do not exceed the portion of the State allocation
5 available under this subsection that is derived from current revenues, as distinguished
6 from proceeds of bond issues.

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.