

SENATE BILL 49

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CF 71r0441

By: **Senator Middleton (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators DeGrange, Edwards, Hooper, and Munson**

Introduced and read first time: January 18, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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:

15 **Article – Natural Resources**

16 5–905.

17 (c) (1) (i) One half of any local governing body's annual apportionment
18 shall be used for acquisition or development projects provided that up to 20 percent of
19 the funds authorized for acquisition or development projects under this subparagraph
20 may be used for capital renewal as defined in § 5–901 of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) If the Department and the Department of Planning certify
2 that acquisition goals set forth in the current, approved local land preservation and
3 recreation plan have been met and that such acreage attainment equals or exceeds the
4 minimum recommended acreage goals developed for that jurisdiction under the
5 Maryland Land Preservation and Recreation Plan, a local governing body may use up
6 to [75] **100** percent of its future annual apportionment for development projects for a
7 period of 5 years after attainment, provided that up to 20 percent of the funds
8 authorized for use for development projects under this subparagraph may be used for
9 capital renewal.

10 (iii) If a county determines that it qualifies for the additional
11 funds for development and capital renewal projects under subparagraph (ii) of this
12 paragraph, before the due date for all local governing bodies to submit revised local
13 land preservation and recreation plans, that county may submit an interim local land
14 preservation and recreation plan:

15 1. Prior to the submission under subsection (b)(2) of this
16 section; and

17 2. In addition to the submission required under
18 subsection (b)(2).

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