

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5-903(a)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5-903(b)

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

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

Article – Natural Resources

5-903.

(a) (1) Of the funds distributed to Program Open Space under § 13-209 of the Tax – Property Article, [\$1,000,000] UP TO \$3,000,000 may be transferred by an appropriation in the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

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

(ii) A portion of the State's share of funds available under this program shall be utilized to make grants to Baltimore City for projects which meet park purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive under subsection (b) of this section, and may be used for acquisition or development. In order for Baltimore City to be eligible for a State grant, the Department shall review projects or land to be acquired within Baltimore City, and upon the Department's recommendation, the Board of Public Works may approve projects and land including the cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore City. The State is not responsible for costs involved in the development or maintenance of the land.

(iii) 1. A portion of the State's share of funds available under this Program not to exceed the amounts specified below may be transferred by an appropriation in the State budget to the Rural Legacy Program under Title 5, Subtitle 9A of this article:

A. In fiscal year 1998, \$4 million;