

WHEREAS, With this premise in mind, the 1989 Maryland General Assembly appointed the Joint Subcommittee on Program Open Space and Agricultural Land Preservation to undertake a comprehensive assessment of Program Open Space during the 1989 Interim; and

WHEREAS, The General Assembly finds that a continuation of the funding cap placed on Program Open Space by Chapter 665 of the Acts of 1984 and modified by Chapter 303 of the Acts of 1987 will seriously jeopardize the Program's ability to attain the acreage goals established to meet the esthetic, environmental, and recreational needs of Maryland's future citizenry as is evidenced by: (1) the diversion of approximately \$221 million in State property transfer tax revenues from Program Open Space to the State's general fund during the Fiscal Year 1985 – Fiscal Year 1990 period; and (2) the projected forfeiture of State and local acreage acquisition of 37,000 and 7,800, respectively, because of the funding diversion during this period; and

WHEREAS, The General Assembly finds that future land acquisition efforts should be better targeted to meet the needs of an increasingly urban and suburban population as is evidenced by: (1) the Baltimore/Washington region being home to approximately 80% of the State's population and yet containing only 21% of the State's land holdings; and (2) between 1973 and 1985, 60% of all residential development occurring in the Baltimore/Washington region; and

WHEREAS, The General Assembly finds that continuing the present restriction on the utilization of the State's annual share of open space moneys solely for acquisition would hamper the ability of the State to meet the pressing development needs of existing parks and recreational areas; and

WHEREAS, It is the position of the 1990 General Assembly that Maryland has a threefold obligation to its present and future citizenry with respect to land preservation as we approach the 21st Century: (1) to dedicate all transfer tax revenues to land preservation and development, consistent with the original intent for the establishment of the State property transfer tax; (2) to conform Program Open Space to the changing character and needs of the State through requisite procedural and policy alterations; and (3) to reaffirm the national recognition attributed to Maryland as a result of its historical diligence in placing the esthetic, environmental, and recreational needs of its people as an unequalled priority; and

WHEREAS, The 1990 Maryland General Assembly sets forth in this Act, a comprehensive legislative proposal designed to enhance and strengthen Maryland's Program Open Space, consistent with and responsive to the findings of the Joint Subcommittee; now, therefore,

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

Article – Natural Resources

SUBTITLE 2A. LAND TRUST GRANT FUND