

WHEREAS, As of October 31, 1986, the total accumulated unencumbered balances of the acquisition-only portion of the subdivisions' shares of open space funds were significantly higher than the unencumbered balances on the acquisition/development portions of the subdivisions' shares of open space funds; and

WHEREAS, A 1986 legislatively mandated study of Program Open Space by the Department of Fiscal Services focused on the local aggregate acquisition goals contained in their respective recreation and parks master plans and found that (1) the aggregate open space land acquisition goals of Maryland's subdivisions exceed the State's suggested minimum aggregate local land acquisition goal by approximately 29%; (2) 18 of Maryland's 23 subdivisions and Baltimore City have developed land acreage goals that exceed those recommended minimum acreage goals set forth under the State Comprehensive Outdoor Recreation Plan; and (3) three subdivisions have acquired not only more acreage than recommended by the Department of State Planning but also more acreage than set forth in their respective land use master plans; and

WHEREAS, It is the intent of this Act not to undermine the original intent of Program Open Space which has been primarily to acquire conservation and scenic open space in Maryland prior to the permanent forfeiture of such land because of unaffordable price escalation and development, but to enable those subdivisions which have adhered to this policy as evidenced by their current local recreation and parks master plan to benefit via greater flexibility in the use of their annual apportionment of open space funds; and

WHEREAS, It is also the intent of this Act that those subdivisions which may qualify for an alternative use of their annual apportionment of open space funds under the provisions authorized herein are to make every possible effort to (1) continue acquiring open space land within their jurisdictions for conservational/recreational purposes consistent with the intent of Maryland's Consolidated State Land Preservation Policy (adopted by the General Assembly's two budget committees) which emphasizes that areas of the State eminently threatened by urban expansion and low density residential development should receive the highest priority in terms of preservation; and (2) maintain land acquisition goals that equal or exceed the recommended acreage goal developed for that subdivision under the State Comprehensive Outdoor Recreation Plan; and

WHEREAS, The development, modification, and administration of local recreation and parks master plans are to be coordinated with the local governing bodies to ensure that the intent expressed herein is faithfully executed; now, therefore,