

Article – Natural Resources

5-903.

(a) 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. 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.

(b) The General Assembly shall appropriate the other half of the funds to assist local governing bodies in acquisition and development of land for recreation and open space purposes.

(c) A committee, appointed by the Governor, shall prepare and adopt an apportionment formula relating to the percent of the total funds each subdivision will receive. The committee consists of two members of the Senate, three members of the House of Delegates, and four members of the public at large. The Director of the Maryland Office of Planning and the Secretary shall serve as advisers to the committee. The committee shall meet at least annually to review and update the apportionment formula. In determining the allocation formula, the committee shall take into account for each subdivision (1) current population, (2) projected population, and (3) other factors it deems desirable. In determining the apportionment for any year the committee may consider under-utilization of available funds and may transfer or advance unused allocations that have not been utilized within a given period. The committee may reallocate funds, subject however to the policy that over the ten-year period any subdivision shall be allocated in the aggregate the funds it would have been entitled to receive if able to utilize them. Before adopting an apportionment formula and before allocating funds for any year, the committee shall notify the governing bodies of every affected subdivision of its intended action and, after reasonable notice, afford an opportunity for hearings on the apportionment or allocation.

(d) Any funds previously or subsequently appropriated or reimbursed to the Department from the Land and Water Conservation Fund of the United States Department of Interior, National Park Service shall be used to supplement the acquisition and development program of the Department and of other eligible State agencies and local government bodies.

(e) (1) The Department may, with the approval of the Board of Public Works, use acquisition funds to make matching or refundable grants to land trusts for the acquisition of interests or rights in real property for recreational or open space purposes.