

CHAPTER 236
FORMERLY
HOUSE BILL NO. 106

AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DELAWARE OPEN SPACE COUNCIL, THE PARKS AND RECREATION COUNCIL AND THE DELAWARE COUNCIL ON GREENWAYS AND TRAILS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §7506, Title 7 of the Delaware Code by striking paragraph (11) thereof in its entirety and re-numbering the remaining subsections accordingly.

Section 2. Amend §8009, Title 29 of the Delaware Code by striking subsection (b) thereof in its entirety and substituting a new subsection “(b)” in its place as follows:

“(b) The Parks and Recreation Council shall serve in an advisory capacity to the Director of Parks and Recreation and shall consider matters related to the planning, acquisition, development, management, conservation and programming of lands and services under the jurisdiction of the Division, and such other matters as may be referred to it by the Governor, the Secretary of the Department of Natural Resources and Environmental Control or the Director. The Council shall review and recommend to the Department the approval of funding from the Conservation Trust Fund for park development projects and serve as the review authority for other state and federal funding programs if called upon to do so. The Council may also study, research, plan and advise the Director, the Secretary and the Governor on matters it deems appropriate to enable the Division to function in the best manner possible. The Council may also recommend to the Department for adoption, after public hearing, any rules and regulations as may be necessary to carry out any provisions of the section.”.

Section 3. Amend §8017A, Title 29 of the Delaware Code by striking paragraph (3) of subsection (b) thereof in its entirety and substituting a new paragraph “(3)” in its place as follows:

“(3) Review and recommend to the Department for approval and funding of Greenway acquisition and development projects, to be funded from the Earnings Account of the Delaware Land and Water Conservation Trust Fund, established pursuant to §5423(d) of Title 30.”.

Section 4. Amend §8017A, Title 29 of the Delaware Code by inserting a new paragraph “(6)” in subsection (b) thereof as follows:

“(6) The Council may also recommend to the Department for adoption, after public hearing, any rules and regulations as may be necessary to carry out the provisions of the Section.”.

Approved April 08, 2010