

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 699

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “Development” and substitute “Lease”; strike beginning with “prohibiting” in line 5 down through “activities” in line 9, and substitute “decreasing the number of years for a lease agreement that the Maryland-National Capital Park and Planning Commission is authorized to enter into in Prince George’s County without obtaining prior approval of the provisions of the lease by legislative enactment of Prince George’s County; and generally relating to the authority of the Maryland-National Capital Park and Planning Commission to enter into lease agreements”; and strike in their entirety lines 10 through 14, and substitute:

“BY repealing and reenacting, with amendments,

Article 28 - Maryland-National Capital Park and Planning Commission

Section 5-110

Annotated Code of Maryland

(1993 Replacement Volume and 1995 Supplement)”.

AMENDMENT NO. 2

Strike in their entirety lines 18 through 23, and substitute:

“5-110.

The Commission may (1) lease for a term not exceeding 40 years and renew the lease from time to time for additional terms not exceeding ten years each, to any responsible individual, partnership or corporation, any portion of the lands within the metropolitan district, acquired for park purposes under any of the provisions of this article. The Commission may not enter into any lease agreement in excess of 20 years duration IN MONTGOMERY COUNTY, OR IN EXCESS OF 10 YEARS DURATION IN PRINCE GEORGE’S COUNTY, without the prior approval of the provisions of the lease by legislative enactment of the county in which the lease property is located in

(Over)

whole or in part. Further, all such lease agreements shall contain provisions for reversion without cost to the Commission of the property and its improvements regardless of whether the improvements were added to the property by the lessee during the term of the lease or any extension of the lease; and/or (2) grant privileges, permits, and/or concessions, and/or enter into contracts relating to the same, with any responsible individual, partnership, or corporation, to engage in any business or enterprise on lands acquired for park purposes within the metropolitan district under any of the provisions of this article; all on terms and conditions the Commission deems advantageous to the development of the park system as a part of the plan for the physical development of the metropolitan district and the plan of the Maryland-Washington Regional District within the metropolitan district. The purpose for which the property is leased, and/or the privileges, permits, and/or concessions are granted, may not be inconsistent with the use of the property for park purposes. Any lease and/or contract executed under the authority of this section shall contain a condition, stating specifically the purposes for which the property is leased, and/or the privilege, permit, or concession is granted. All agreements entered into by the Commission pursuant to this article shall contain provisions forbidding the assignment of the agreement without the consent of the Commission. This article may not be interpreted as a limitation on the Commission's authority to require in any agreement more restrictive provisions deemed by the Commission to be in the public interest. The provisions of this article may not be construed to validate any lease or agreement executed prior to July 1, 1972, which provides for an initial term beyond 20 years duration, nor to permit the renegotiation of any lease or agreement executed prior to July 1, 1972, for the purpose of extending the initial term of the lease beyond 20 years duration. This limitation does not apply to any lease with a nonprofit, service-oriented organization.”.