

EMERGENCY BILL

L2

6lr0914

By: Delegate Eckardt

Introduced and read first time: January 10, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Dorchester County - Fire Companies**

3 FOR the purpose of deleting in Dorchester County the requirement that deeds or other
4 instruments of conveyance of real or leasehold property made by the County
5 Commissioners to volunteer fire companies contain a certain reversionary provision;
6 providing that the County Commissioners may sell a reversionary interest in certain
7 property; generally relating to volunteer fire companies in Dorchester County;
8 clarifying language; and making this Act an emergency measure.

9 BY repealing and reenacting, with amendments,
10 Article 25 - County Commissioners
11 Section 9
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1995 Supplement)

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

16 **Article 25 - County Commissioners**

17 9.

18 (a) This section applies [solely to] ONLY IN Dorchester County.

19 (b) The County Commissioners, in addition to, but not in substitution of, the
20 powers which may have been or may hereafter be granted them, may acquire by lease,
21 purchase, or condemnation, real or leasehold property needed for any public purpose,
22 may erect buildings on the property for the benefit of the County, may sell at public sale
23 any real or leasehold property belonging to the County when in their discretion it is no
24 longer needed for public use, and may execute and acknowledge any and all deeds and
25 other instruments necessary to effect and complete the lease, purchase, or sale of real or
26 leasehold property.

27 (c) (1) Except as provided in paragraph (2) of this subsection, the County
28 Commissioners may sell real or leasehold property without public sale to any municipality
29 or other governmental agency within Dorchester County upon terms and conditions and
30 for consideration, if any, which they consider proper, when in their discretion the
31 property is no longer needed for public use by the county, and may execute and

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1 acknowledge any and all deeds and other instruments necessary to effect and complete
2 the sale of the real or leasehold property.

3 (2) The County Commissioners may not sell or lease the riparian rights
4 adjacent to any real or leasehold property that belongs to Dorchester County and is
5 located in the City of Cambridge unless the County Commissioners provide for the public
6 sale or lease under a process that includes the following elements:

7 (i) A public advertisement, in at least one newspaper of general
8 circulation in the county, soliciting sealed bids or proposals;

9 (ii) The public opening of sealed bids or proposals;

10 (iii) The rejection of unresponsive or unacceptable bids or proposals;
11 and

12 (iv) The selection of the bidder or offeror who offers the terms most
13 favorable to the county.

14 (3) The County Commissioners may take any and all actions necessary to
15 effectuate and complete the process of competitive bidding under paragraph (2) of this
16 subsection.

17 (d) The County Commissioners may lease real or leasehold property belonging to
18 the county, in lieu of sale, to nonprofit organizations upon terms and conditions they
19 deem proper, when in their discretion the real or leasehold property is no longer needed
20 for public use, and to execute and acknowledge any instruments necessary to effect and
21 complete the lease of the property.

22 (e) The County Commissioners may sell real or leasehold property OR ANY
23 REVERSIONARY INTEREST IN THAT PROPERTY without a public sale to any volunteer
24 fire company located in the county for use in providing fire, emergency, and supporting
25 services or facilities, upon the terms and conditions and for whatever consideration, if
26 any, which they consider proper when in their discretion the property is no longer needed
27 for public use by the county, and may execute and acknowledge any and all deeds and
28 other instruments necessary to effect and complete the sale of real or leasehold property.
29 [The deed or other instrument of conveyance shall provide that ownership of the
30 property shall revert to the county when the property is no longer used by the volunteer
31 fire company in providing fire, emergency, and supporting services or facilities.]

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
33 measure, is necessary for the immediate preservation of the public health and safety, has
34 been passed by a ye and nay vote supported by three-fifths of all the members elected to
35 each of the two Houses of the General Assembly, and shall take effect from the date it is
36 enacted.