
By: Prince George's County and Montgomery County Delegations

Introduced and read first time: February 1, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Conveyance of Land -**
3 **Approval by County Councils**
4 **PG/MC 45-96**

5 FOR the purpose of requiring a certain approval of Montgomery County or Prince
6 George's County before the Maryland-National Capital Park and Planning
7 Commission may sell, convey, transfer, lease, exchange, or otherwise dispose of
8 certain tracts of land under certain circumstances.

9 BY repealing and reenacting, with amendments,
10 Article 28 - Maryland-National Capital Park and Planning Commission
11 Section 5-111 and 5-112
12 Annotated Code of Maryland
13 (1993 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 28 - Maryland-National Capital Park and Planning Commission**

17 5-111.

18 (A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE Commission
19 may sell, convey, transfer, lease, or exchange any land held by it under this title and
20 deemed by the Commission not to be needed for park purposes or other purposes of this
21 title.

22 (B) THE COMMISSION MAY NOT SELL, CONVEY, TRANSFER, LEASE, OR
23 EXCHANGE A TRACT OF LAND WITHOUT PRIOR APPROVAL BY LEGISLATIVE
24 ENACTMENT OF THE COUNTY IN WHICH THE TRACT IS LOCATED IN WHOLE OR IN
25 PART IF THE TRACT CONSISTS OF:

26 (1) FIVE OR MORE ACRES OF UNIMPROVED LAND; OR

27 (2) ANY IMPROVED LAND WITH A STRUCTURE OF 10,000 OR MORE
28 SQUARE FEET.

1 5-112.

2 (A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE Commission
3 may sell or otherwise dispose of any playground and recreational facilities no longer
4 needed for public use and use the proceeds of the sale or other disposition for the
5 construction, acquisition, or improvement of any other playground or recreational
6 facilities in the metropolitan district. [The] SUBJECT TO SUBSECTION (B) OF THIS
7 SECTION, THE Commission also may exchange with the United States of America, the
8 State of Maryland, or any other public body or agency any land held or acquired by the
9 Commission in its own name or in the name of the State of Maryland for playground or
10 recreational facilities, except park lands acquired by the Commission pursuant to an
11 agreement with the National Capital Planning Commission, for any other land held or
12 acquired by the United States, the State of Maryland, or any other public body or agency,
13 and, in the sole discretion of the Commission, deemed to be as more suitable for
14 playground and recreational purposes than the land held by it and offered in exchange.
15 The exchange may be accompanied by a partial cash consideration moving either to or
16 from the Commission; and any exchange, effected as aforesaid, shall be deemed and is
17 declared to be an acquisition of land for the public uses hereinabove in this title defined.

18 (B) THE COMMISSION MAY NOT SELL, EXCHANGE, OR OTHERWISE DISPOSE
19 OF A TRACT OF LAND HELD OR ACQUIRED BY THE COMMISSION WITHOUT PRIOR
20 APPROVAL BY LEGISLATIVE ENACTMENT OF THE COUNTY IN WHICH THE TRACT IS
21 LOCATED IN WHOLE OR IN PART IF THE TRACT CONSISTS OF:

22 (1) FIVE OR MORE ACRES OF UNIMPROVED LAND; OR

23 (2) ANY IMPROVED LAND WITH A STRUCTURE OF 10,000 OR MORE
24 SQUARE FEET.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1996.