

---

**By: Montgomery County and Prince George's County Delegations**

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 1997

---

CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Conveyance of Land -**  
3 **Approval by Prince George's County Council**  
4 **MC/PG 13-97**

5 FOR the purpose of requiring a certain approval of the Prince George's County  
6 government before the Maryland-National Capital Park and Planning Commission  
7 may sell, convey, transfer, ~~lease~~, exchange, or otherwise dispose of certain tracts of  
8 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 1996 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) IN PRINCE GEORGE'S COUNTY, THE COMMISSION MAY NOT SELL,  
23 CONVEY, TRANSFER, ~~LEASE~~, OR EXCHANGE A TRACT OF LAND THAT IS LOCATED IN

2

1 WHOLE OR IN PART IN PRINCE GEORGE'S COUNTY TO A NONGOVERNMENTAL  
2 ENTITY WITHOUT PRIOR APPROVAL BY LEGISLATIVE ENACTMENT OF THE PRINCE  
3 GEORGE'S COUNTY COUNCIL IF THE TRACT CONSISTS OF FIVE OR MORE ACRES OF  
4 UNIMPROVED LAND IN PRINCE GEORGE'S COUNTY.

5 5-112.

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

23 (B) IN PRINCE GEORGE'S COUNTY, THE COMMISSION MAY NOT SELL,  
24 EXCHANGE, OR OTHERWISE DISPOSE OF A TRACT OF LAND HELD OR ACQUIRED BY  
25 THE COMMISSION THAT IS LOCATED IN WHOLE OR IN PART IN PRINCE GEORGE'S  
26 COUNTY TO A NONGOVERNMENTAL ENTITY WITHOUT PRIOR APPROVAL BY  
27 LEGISLATIVE ENACTMENT OF THE PRINCE GEORGE'S COUNTY COUNCIL IF THE  
28 TRACT CONSISTS OF FIVE OR MORE ACRES OF UNIMPROVED LAND IN PRINCE  
29 GEORGE'S COUNTY.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 1997.