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HB 737/96 - CGM

1997 Regular Session
7lr1545

By: Senator Green

Introduced and read first time: January 21, 1997
Assigned to: Select Committee No. 7

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Parking Authority - Membership**

3 FOR the purpose of amending the Parking Authorities Act to alter the membership of a
4 parking authority in Prince George's County; altering the number of votes required
5 by a parking authority in Prince George's County to adopt a resolution authorizing
6 certain debt for a parking facility under certain circumstances; and generally
7 relating to a parking authority in Prince George's County.

8 BY repealing and reenacting, without amendments,
9 Article 41 - Governor - Executive and Administrative Departments
10 Section 14-301, 14-302(3), 14-304(a) and (b), and 14-309(a)
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1996 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 41 - Governor - Executive and Administrative Departments
15 Section 14-305 and 14-309(b)
16 Annotated Code of Maryland
17 (1993 Replacement Volume and 1996 Supplement)

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

20 **Article 41 - Governor - Executive and Administrative Departments**

21 14-301.

22 This subtitle may be known as the Parking Authorities Act.

23 14-302.

24 In this subtitle the following words have the meanings indicated:

25 (3) "County" means Prince George's or Montgomery County.

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1 14-304.

2 (a) Each county may create a body politic and corporate known as the "Parking
3 Authority of (insert county name) County". An authority shall be created when the
4 county:

5 (1) Passes local laws which provide and constitute the terms of the charter
6 for this authority; and

7 (2) Files the charter with:

8 (i) The Department of Assessments and Taxation;

9 (ii) The Department of Legislative Reference; and

10 (iii) The Secretary of State.

11 (b) Each county shall have the power to:

12 (1) Amend the authority's charter through local legislation if the
13 amendments are filed with the Department of Assessments and Taxation, State
14 Department of Legislative Reference, and Secretary of the State;

15 (2) Change the structure, organization, program, or activity of the authority
16 unless the change would impair the authority's obligation under a contract the authority
17 entered into before the change; and

18 (3) Terminate the authority unless the termination would impair the
19 authority's obligation under a contract the authority entered into before the termination.

20 14-305.

21 (a) (1) [An] IN MONTGOMERY COUNTY, AN authority shall consist of five
22 members.

23 (2) IN PRINCE GEORGE'S COUNTY, AN AUTHORITY SHALL CONSIST OF
24 SEVEN MEMBERS.

25 (b) The residency requirements, means of appointment, qualifications and terms
26 of office of these members shall be provided by local law.

27 (c) The officers and employees required by an authority shall be appointed as
28 provided by local law.

29 (d) An act of the authority may not be challenged on the basis of the absence of
30 qualifications of a member of the authority if the member:

31 (1) Has been appointed by the appropriate authority designated by local
32 law; and

33 (2) Has taken the oath of office.

34 14-309.

35 (a) An authority may from time to time issue its revenue bonds to finance the cost
36 of acquiring property and of establishing, constructing, erecting, altering, expanding, and

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1 enlarging, improving, and equipping buildings, structures, and other facilities for the
2 carrying out of its purposes under this subtitle. Every issue of bonds shall be pursuant to
3 determination by the authority that the issuance is necessary to achieve one or more of its
4 purposes, which determination shall be included in the resolution of the authority
5 authorizing the issue of bonds.

6 (b) [Each] IN MONTGOMERY COUNTY, EACH bond issue shall be authorized by
7 a resolution approved by a vote of at least four of the five members of the authority[,
8 which]. IN PRINCE GEORGE'S COUNTY, EACH BOND ISSUE SHALL BE AUTHORIZED
9 BY A RESOLUTION APPROVED BY A VOTE OF AT LEAST FIVE OF THE SEVEN
10 MEMBERS OF THE AUTHORITY. THE RESOLUTION shall provide that the vehicle
11 parking facility or related project is to be acquired pursuant to the provisions of this
12 subtitle and of local law, and shall contain the following:

13 (1) A determination of the probable useful life of the project, or average
14 probable useful life of the projects to be financed. In the case of bonds issued for projects
15 having different probable useful lives, the authority shall consider the amount of the
16 bonds to be issued on account of each project when it determines the average probable
17 useful life of the projects. The determination of probable useful life of the project or
18 average probable useful life of the projects by an authority under this section shall be
19 conclusive.

20 (2) An estimate of the cost of the project or projects to be financed and the
21 portion to be defrayed from sources, specifically named, other than the proposed bond
22 issue.

23 (3) The procedure for the sale of the proposed issue of bonds.

24 (4) A description of each of the projects to be financed by the issue of bonds
25 sufficient for purposes of identification.

26 (5) A finding that the amount of the proposed bond issue is sufficient to
27 complete at least a useful portion of each project to be financed thereby.

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