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By: **Montgomery County Delegation**  
Introduced and read first time: February 12, 1998  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Intercounty Connector Right-of-Way - State Park**  
3 **MC 812-98**

4 FOR the purpose of providing that a certain right-of-way reserved for the project  
5 designated as the Intercounty Connector in Montgomery County shall be  
6 designated a State park; authorizing the Department of Natural Resources to  
7 adopt regulations concerning the State park; providing for the land designated  
8 under this Act to be subject to certain laws; prohibiting the Maryland  
9 Department of Transportation from spending any further funds for the  
10 construction of a new highway, arterial, freeway, or expressway in a certain  
11 right-of-way reserved for the project designated as the Intercounty Connector;  
12 prohibiting the transfer of certain portions of a certain right-of-way to  
13 Montgomery County, a private developer, a government agency, or any other  
14 person to be used for certain highway construction projects; and generally  
15 relating to a certain right-of-way reserved for a project designated as the  
16 Intercounty Connector.

17 BY renumbering  
18 Article - Natural Resources  
19 Section 5-1004, 5-1005, 5-1006, 5-1007, 5-1008, 5-1009, and 5-1010,  
20 respectively  
21 to be Section 5-1005, 5-1006, 5-1007, 5-1008, 5-1009, 5-1010, and 5-1011,  
22 respectively  
23 Annotated Code of Maryland  
24 (1997 Replacement Volume and 1997 Supplement)

25 BY adding to  
26 Article - Natural Resources  
27 Section 5-1004  
28 Annotated Code of Maryland  
29 (1997 Replacement Volume and 1997 Supplement)

30 BY repealing and reenacting, with amendments,

1 Article - Transportation  
2 Section 8-601  
3 Annotated Code of Maryland  
4 (1993 Replacement Volume and 1997 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
6 MARYLAND, That Section(s) 5-1004, 5-1005, 5-1006, 5-1007, 5-1008, 5-1009, and  
7 5-1010, respectively, of Article - Natural Resources of the Annotated Code of  
8 Maryland be renumbered to be Section(s) 5-1005, 5-1006, 5-1007, 5-1008, 5-1009,  
9 5-1010, and 5-1011, respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
11 read as follows:

12 **Article - Natural Resources**

13 5-1004.

14 (A) THE LAND BETWEEN GEORGIA AVENUE AND U.S. ROUTE 29 DESCRIBED IN  
15 THE MASTER PLAN ALIGNMENT AND PURCHASED BY THE STATE AS A  
16 RIGHT-OF-WAY FOR THE INTERCOUNTY CONNECTOR PROJECT SHALL BE HELD BY  
17 THE STATE AS A STATE PARK UNDER THE PROTECTION AND ADMINISTRATION OF  
18 THE DEPARTMENT.

19 (B) THE DEPARTMENT SHALL EXERCISE THE SAME POWER OF ADOPTING  
20 REGULATIONS AND MANAGING THE LAND AS IS DONE FOR ANY OTHER STATE PARK.

21 (C) THE LAND ACQUIRED UNDER SUBSECTION (A) OF THIS SECTION IS  
22 SUBJECT TO ALL OF THE PUBLIC GENERAL LAWS ENACTED BY THE GENERAL  
23 ASSEMBLY THAT ARE NOT INCONSISTENT WITH THIS SECTION.

24 **Article - Transportation**

25 8-601.

26 (a) The Administration shall construct, reconstruct, and repair State  
27 highways as necessary and shall maintain them in good condition.

28 (b) The Department may not spend any further funds for the construction of  
29 I-95 through Prince George's County that will involve a new or reconstructed  
30 segment connecting it to any other highway in Prince George's County. The  
31 Department may not spend any further funds for the construction of a new highway,  
32 arterial, freeway, or expressway in the right-of-way described in the 1980 highway  
33 needs inventory as the right-of-way reserved for the project designated as the  
34 Rockville Facility in Montgomery County.

35 (c) This prohibition does not preclude the construction of improvements at  
36 grade intersections and railroad crossings in the right-of-way designated as the  
37 Rockville Facility to facilitate traffic flow and highway safety.

1 (D) THE DEPARTMENT MAY NOT SPEND ANY FURTHER FUNDS FOR THE  
2 CONSTRUCTION OF A NEW HIGHWAY, ARTERIAL, FREEWAY, OR EXPRESSWAY IN THE  
3 RIGHT-OF-WAY DESCRIBED IN THE MASTER PLAN ALIGNMENT BETWEEN GEORGIA  
4 AVENUE AND U.S. ROUTE 29 RESERVED FOR THE INTERCOUNTY CONNECTOR  
5 PROJECT; NOR MAY THE STATE SELL, TRANSFER, OR GIVE ANY PORTION OF THIS  
6 RIGHT-OF-WAY TO MONTGOMERY COUNTY, A PRIVATE DEVELOPER, ANY  
7 GOVERNMENT AGENCY, OR ANY OTHER PERSON FOR CONSTRUCTION OF SUCH A  
8 HIGHWAY, ARTERIAL, FREEWAY, OR EXPRESSWAY.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 1998.