

HOUSE BILL 845

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HB 1021/00 - CGM

2001 Regular Session
11r0338

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

Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Changes to**
3 **Public Property - Commission Review**
4 **MC/PG 105-01**

5 FOR the purpose of requiring the Maryland-National Capital Park and Planning
6 Commission to adopt, after appropriate public hearings, uniform standards of
7 review for reviewing changes to public property located in the regional district;
8 requiring a notice of the adoption of the standards for review to be published in
9 a certain manner; and generally relating to the Maryland-National Capital
10 Park and Planning Commission.

11 BY repealing and reenacting, with amendments,
12 Article 28 - Maryland-National Capital Park and Planning Commission
13 Section 7-112
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2000 Supplement)

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

18 **Article 28 - Maryland-National Capital Park and Planning Commission**

19 7-112.

20 When the Commission has adopted a master plan of highways of the regional
21 district and has certified the plan to the County Council and clerk of the Circuit Court
22 of Montgomery County and to the Board of County Commissioners and clerk of the
23 Circuit Court of Prince George's County, thereafter no road, park, or other public way
24 or ground, no public (including federal) buildings or structures, and no public utility,
25 whether publicly or privately owned, shall be located, constructed, or authorized in
26 the regional district until and unless the proposed location, character, grade, and
27 extent thereof has been submitted to and approved by the Commission. In case of
28 disapproval, the Commission shall communicate its reasons to the State, federal,

1 county, municipal, or district board, body, or official proposing to locate, construct, or
2 authorize such public way, ground, building, structure, or utility. Thereupon the
3 board, body, or official in its discretion may overrule the disapproval and proceed. The
4 widening, extension, relocation, narrowing, vacation, abandonment, change of use of
5 any road, park, or other public way or ground in the regional district, or the
6 acquisition or sale of any land in the regional district by any public board, body, or
7 official shall be subject to similar submission and approval; and the failure to approve
8 may be similarly overruled. The failure of the Commission to act within 60 days from
9 and after the date of official submission to it shall be deemed an approval, unless a
10 longer period be granted by the submitting board, body, or official. AFTER
11 APPROPRIATE PUBLIC HEARINGS, THE COMMISSION SHALL ADOPT UNIFORM
12 STANDARDS OF REVIEW TO BE FOLLOWED IN REVIEWING CHANGES TO PUBLIC
13 PROPERTY LOCATED IN THE REGIONAL DISTRICT. THE COMMISSION SHALL PUBLISH
14 A SUMMARY OF THE STANDARDS OF REVIEW IN ONE NEWSPAPER OF COUNTYWIDE
15 CIRCULATION THAT IS PUBLISHED IN EACH COUNTY. THE NOTICE SHALL INCLUDE A
16 SUMMARY OF THE PURPOSE OF THE STANDARDS AND THE REVIEW PROCESS. THE
17 NOTICE ALSO SHALL IDENTIFY A LOCATION AND A PHONE NUMBER TO CONTACT
18 FOR A COMPLETE COPY OF THE STANDARDS OF REVIEW.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2001.