
By: **Delegate James**
Introduced and read first time: February 25, 2004
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Priority Funding Areas - Exception - Military Base Realignment and**
3 **Closure**

4 FOR the purpose of authorizing the State to provide funding for a growth-related
5 project not in a priority funding area without a certain approval from the Board
6 of Public Works if the project is related to a federal military base realignment
7 and closure activity by the United States Department of Defense; exempting
8 projects related to a federal military base realignment and closure activity by
9 the United States Department of Defense from certain procedures; and
10 generally relating to priority funding areas and military base realignment and
11 closure.

12 BY repealing and reenacting, with amendments,
13 Article - State Finance and Procurement
14 Section 5-7B-06
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2003 Supplement)

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

19 **Article - State Finance and Procurement**

20 5-7B-06.

21 (a) The State may provide funding for a growth-related project not in a
22 priority funding area without receiving approval from the Board of Public Works as
23 provided under § 5-7B-05 of this subtitle for:

24 (1) a project that is required to protect public health or safety;

25 (2) a project involving federal funds, to the extent compliance with this
26 subtitle would conflict or be inconsistent with federal law; [or]

1 (3) a growth-related project related to a commercial or industrial
2 activity which, due to its operational or physical characteristics, shall be located away
3 from other development, including:

4 (i) a natural resource based industry;

5 (ii) an industry relating to:

6 1. agricultural operations, as defined in § 7-101 of the Labor
7 and Employment Article;

8 2. forestry activities; or

9 3. mineral extraction;

10 (iii) an industry that is proximate to:

11 1. an airport facility;

12 2. a port facility;

13 3. a railroad facility;

14 4. a transit facility; or

15 5. a major highway interchange; or

16 (iv) a tourism facility or museum that is required to be located away
17 from other development due to necessary proximity to specific historic, natural, or
18 cultural resources; OR

19 (4) A PROJECT RELATED TO A FEDERAL MILITARY BASE REALIGNMENT
20 AND CLOSURE ACTIVITY BY THE UNITED STATES DEPARTMENT OF DEFENSE.

21 (b) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
22 A procedure for notification, review, and comment on exceptions proposed under this
23 section shall be established jointly by the applicable State agency and the
24 Department of Planning.

25 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A
26 PROJECT RELATED TO A FEDERAL MILITARY BASE REALIGNMENT AND CLOSURE
27 ACTIVITY BY THE UNITED STATES DEPARTMENT OF DEFENSE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2004.