

(PRE-FILED)

By: **Delegate Franchot**

Requested: November 15, 2004

Introduced and read first time: January 12, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Board of Public Works - Disposition of Park Lands - General Assembly**
3 **Approval Required**

4 FOR the purpose of providing that the Board of Public Works may not approve the
5 sale, lease, transfer, exchange, grant, or other disposition of certain outdoor
6 recreation, open space, conservation, preservation, or other park land without
7 the express approval of the General Assembly; and submitting this amendment
8 to the qualified voters of the State of Maryland for their adoption or rejection.

9 BY proposing an amendment to the Maryland Constitution
10 Article XII - Public Works
11 Section 3

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article XII - Public Works**

16 3.

17 (A) The Board of Public Works is hereby authorized, subject to such
18 regulations and conditions as the General Assembly may from time to time prescribe,
19 to sell the State's interest in all works of Internal Improvement, whether as a
20 stockholder or a creditor, and also the State's interest in any banking corporation,
21 receiving in payment the bonds and registered debt now owing by the State, equal in
22 amount to the price obtained for the State's said interest.

23 (B) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE THE SALE, LEASE,
24 TRANSFER, EXCHANGE, GRANT, OR OTHER DISPOSITION OF ANY STATE DESIGNATED
25 OUTDOOR RECREATION, OPEN SPACE, CONSERVATION, PRESERVATION, OR OTHER
26 PARK LAND WITHOUT THE EXPRESS APPROVAL OF THE GENERAL ASSEMBLY.

27 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
28 determines that the amendment to the Maryland Constitution proposed by this Act

1 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
2 Maryland Constitution concerning local approval of constitutional amendments do
3 not apply.

4 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
5 proposed as an amendment to the Maryland Constitution shall be submitted to the
6 legal and qualified voters of this State at the next general election to be held in
7 November, 2006 for their adoption or rejection in pursuance of directions contained in
8 Article XIV of the Maryland Constitution. At that general election, the vote on this
9 proposed amendment to the Constitution shall be by ballot, and upon each ballot
10 there shall be printed the words "For the Constitutional Amendment" and "Against
11 the Constitutional Amendment," as now provided by law. Immediately after the
12 election, all returns shall be made to the Governor of the vote for and against the
13 proposed amendment, as directed by Article XIV of the Maryland Constitution, and
14 further proceedings had in accordance with Article XIV.