

HOUSE BILL 434

M1, P3

8lr2692
CF SB 261

By: **Delegates Riley, James, and Norman**
Introduced and read first time: January 28, 2008
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Parklands – Lease to Sewage Sludge Application Companies –**
3 **Prohibition**

4 FOR the purpose of prohibiting the Department of Natural Resources from leasing
5 certain parklands to a certain lessee engaged in the land application of sewage
6 sludge under certain circumstances; and generally relating to prohibiting the
7 Department of Natural Resources from leasing certain parklands to a company
8 engaged in the land application of sewage sludge.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 10–305(d)
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2007 Supplement)

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

16 **Article – State Finance and Procurement**

17 10–305.

18 (d) (1) Whenever any unit of the State government leases any
19 State-owned property under its jurisdiction and control to any State employee, agent,
20 or servant, or to any other individual in State service, for the purpose of permitting
21 the individual to maintain a residence on or in the property, the lease shall be:

22 (i) executed by the unit; and

23 (ii) approved by the Secretary of General Services.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2) The lease is not valid unless the Secretary of General Services
2 approves it.

3 (3) Whenever any unit of the State government leases any
4 State-owned property under its jurisdiction and control to any lessee, the lease shall
5 include a provision which prohibits the lessee from assigning or subleasing that
6 property without the prior approval of the Board of Public Works.

7 (4) Whenever the State Highway Administration leases any
8 State-owned property under its jurisdiction and control to any person, the
9 Administrator of the State Highway Administration may execute the lease if:

10 (i) the lease is entered into on a 30-day renewable basis; and

11 (ii) the duration of the tenancy does not exceed 1 year.

12 (5) At least twice each year, the Administrator of the State Highway
13 Administration shall submit a report of the leases executed under the authority
14 granted in paragraph (4) of this subsection to the Board of Public Works.

15 **(6) THE DEPARTMENT OF NATURAL RESOURCES MAY NOT LEASE**
16 **ANY PARKLANDS UNDER ITS JURISDICTION AND CONTROL TO A LESSEE IF THE**
17 **LESSEE IS:**

18 **(I) A COMPANY THAT IS ENGAGED IN THE LAND**
19 **APPLICATION OF SEWAGE SLUDGE AND THAT INTENDS TO APPLY SEWAGE**
20 **SLUDGE TO THE LEASED PROPERTY; OR**

21 **(II) AN EMPLOYEE, AGENT, OR SERVANT OF A COMPANY**
22 **DESCRIBED IN ITEM (I) OF THIS PARAGRAPH.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2008.