COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-23-2020
Chapter No. 6
Proposed and Presented by Council Member Turner
Introduced by Council Members Turner, Dernoga, Ivey, Harrison, Davis, Franklin, Glaros, Hawkins, Streeter Taveras and Anderson-Walker
Date of Introduction May 29, 2020

BILL

AN ACT concerning
Maryland-National Capital Park and Planning Commission
For the purpose of approving the Prince George's County portion of the Maryland-National Capital Park and Planning Commission budget and making appropriations and levying certain taxes for Fiscal Year 2021 for the Maryland-National Capital Park and Planning Commission, pursuant to the provisions of the Land Use Article of the Annotated Code of Maryland, as amended ("Land Use Article").

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that, in accordance with Title 18 of the Land Use Article, the annual budget transmitted to the County Council by the Maryland-National Capital Park and Planning Commission on January 15, 2020, and as amended on May 19, 2020 and May 22, 2020, is approved insofar as it applies to Prince George's County subject, however, to the additions, deletions, increases or decreases thereto which are contained in Appendix A to this Act, attached hereto and incorporated as if fully stated herein, and that the revenues to be derived from the rates herein be and the same established are hereby appropriated and authorized to be disbursed for the purposes specified by the provisions of the Land Use Article, as amended, and for the support and maintenance of the purposes as expressed in the budget.

SECTION 2. ADMINISTRATION TAX. Pursuant to Sections 18-302 and 18-307 of the Land Use Article, there is hereby imposed and levied for the Fiscal Year 2021 a tax of five and sixty-six hundredths cents ($0.0566) upon each one hundred dollars ($100.00) of assessed
valuation of real property and fourteen and fifteen and one-half hundredths cents ($0.14155)
on each one hundred dollars ($100.00) of assessed valuation of personal property and
operating real property described in Section 8-109 of the Tax-Property Article for property
located in that portion of the Maryland-Washington Regional District lying within Prince
George's County. The proceeds of the collection of such tax shall be paid to the Maryland-
National Capital Park and Planning Commission and shall constitute the Administration Fund of
said Commission. Of the proceeds collected, $1,287,300 shall be allocated to the County
Council for the reimbursement of the planning and zoning functions of the Legislative Branch, as
described in the Regional District Act.

SECTION 3. ADVANCE LAND ACQUISITION FUND. Pursuant to the provisions of
Section 18-401(c) of the Land Use Article, there is hereby imposed and levied for the Fiscal
Year 2021 a tax of zero cents ($0.00) upon each one hundred dollars ($100.00) of assessed
valuation of real property and zero cents ($0.00) upon each one hundred dollars ($100.00) of
assessed valuation of personal property and operating real property described in Section 8-109 of
the Tax-Property Article, assessable according to the laws of Maryland and subject to taxation in
Prince George's County, to be utilized for advance land acquisition in Prince George's County, in
accordance with the terms and conditions of the above-cited statute, as amended. The proceeds
from the collection of said tax shall be paid to the Maryland-National Capital Park and Planning
Commission for the purpose of debt service on the principal and interest on bonds issued for the
Commission's land acquisition revolving fund, and any excess shall be paid into said fund.

SECTION 4. METROPOLITAN DISTRICT TAX–MANDATORY. Pursuant to the
provisions of Sections 18-302 and 18-304(b) of the Land Use Article, there is hereby imposed
and levied for the Fiscal Year 2021 a tax of four cents ($0.04) upon each one hundred dollars
($100.00) of assessed valuation of real property and ten cents ($0.10) upon each one hundred
dollars ($100.00) of assessed valuation of personal property and operating real property
described in Section 8-109 of the Tax-Property Article subject to assessment and taxation by
Prince George's County which is located in that portion of the Maryland-Washington
Metropolitan District lying within Prince George's County. The proceeds of the collection of
such tax shall be paid to the Maryland-National Capital Park and Planning Commission and shall
be applied to the purposes set forth in Section 18-304(b) of the Land Use Article.

SECTION 5. METROPOLITAN DISTRICT TAX–DISCRETIONARY. Pursuant to
Section 18-304(c) of the Land Use Article, there is hereby imposed and levied for Fiscal Year 2021 a tax of eleven and ninety-four hundredths cents ($0.1194) upon each one hundred dollars ($100.00) of assessed valuation of real property and twenty-nine and eighty-five hundredths cents ($0.2985) upon each one hundred dollars ($100.00) of assessed valuation of personal property and operating real property described in Section 8-109 of the Tax-Property Article subject to assessment and taxation by Prince George's County which is located in that portion of the Maryland-Washington Metropolitan District within Prince George's County. The proceeds of the collection of such tax shall be paid to the Maryland-National Capital Park and Planning Commission and shall be applied to the purposes set forth in Section 18-304(c) of the Land Use Article.

SECTION 6. RECREATION TAX. Pursuant to Sections 18-302 and 18-306 of the Land Use Article, there is hereby imposed and levied for the Fiscal Year 2021 a tax to support recreational activities in the amount of seven and eighty hundredths cents ($0.0780) upon each one hundred dollars ($100.00) of assessed valuation of real property and nineteen and forty-nine and one-half hundredths cents ($0.19495) upon each one hundred dollars ($100.00) of assessed valuation of personal property and operating real property described in Section 8-109 of the Tax-Property Article subject to assessment and taxation by Prince George's County. The proceeds of such tax shall be remitted to the Maryland-National Capital Park and Planning Commission and shall be applied to the purposes set forth in Section 18-306(d) of the Land Use Article.

SECTION 7. The County Council of Prince George's County hereby adopts the schedules "Revenues as to Source" as set forth in Appendix A to this enactment and incorporates said Appendix herein by this reference.

SECTION 8. OTHER POST EMPLOYMENT BENEFITS ("OPEB"). The budget reflects funding for the annual required contribution ("ARC") and the pay-as-you-go amount to prefund retiree medical costs.

SECTION 9. GRANT AND SPECIAL FUNDING. All grants and Land Reclamation revenue received by the Maryland-National Capital Park and Planning Commission shall be considered as additions to, and automatic amendments of, the Commission's Operating and CIP Budgets and work programs, provided that the Commission shall have advised the County Council of such revenue at the time the revenue was being sought, whether by grant application or by other applicable special funding application procedures. This section does not, in any way,
affect the process for legislative appropriation of tax revenue to the Commission.

SECTION 10. PARK ACQUISITION AND DEVELOPMENT. The Prince George's County portion of the Maryland-National Capital Park and Planning Commission Fiscal Year 2021 Capital Budget is hereby adopted and shall consist of all previously approved park acquisition and development projects (as revised) with appropriations in the budget year of the Maryland-National Capital Park and Planning Commission Fiscal Years 2021–2026 Capital Improvement Program as such projects are included in the adopted Prince George's County Fiscal Years 2021–2026 Capital Improvement Program and the new projects listed in Appendix B, which is attached hereto and incorporated herein. As such, and pursuant to Section 18-109 of the Land Use Article, as well as Section 10-112.32(d) of the Prince George's County Code, the Council hereby states, as justification for that portion of the Maryland-National Capital Park and Planning Commission Fiscal Year 2021 Capital Budget exceeding the Spending Affordability Commission’s recommended overall spending ceiling of $63.73 million for capital projects by approximately $9.65 million, such additional appropriations are the result of updated costs for projects underway; funding approved by the Maryland General Assembly; and increases to support new projects for the benefit of the County.

SECTION 11. GUARANTEE OF PRINCIPAL AND INTEREST ON BONDS. Pursuant to the provisions of Section 18-204 of the Land Use Article, the payment of the principal of and interest on any and all bonds sold by the Maryland-National Capital Park and Planning Commission, the proceeds of which are to be used to finance any of the projects adopted by Section 10, are hereby guaranteed by the County as provided in Land Use Article. The guarantee shall be in the form described by Section 18-204 of the Land Use Article and shall be endorsed on the bonds on behalf of the County by the manual or facsimile signature of the County Executive. The full faith and credit of the County is hereby irrevocably pledged to the fulfillment of the guarantee of the payment of interest when due and the principal on maturity and taxes will be levied in accordance with Sections 18-209, 18-302, 18-304(a), 18-304(b), 18-304(c), and 18-304(e) of the Land Use Article, as necessary. The County Executive and the Clerk of the Council are hereby authorized to take all necessary actions to adopt and record their facsimile signatures and to execute all documents required for the sale of the bonds.

SECTION 12. PROJECT CHARGES AND PROGRAM SUPPORT. Any revenue from Maryland-National Capital Park and Planning Commission (“M-NCPPC”) funds used for project
charges or program support of County programs shall be based on quarterly invoices submitted
by the County to M-NCPPC or such other methods as the County and M-NCPPC shall mutually
agree upon.

SECTION 13. SEVERABILITY. If the application of this Act or any section, subsection,
sentence, clause, phrase, or portion thereof, as it applies in any circumstances, case, or instance
to any person, firm, or corporation is, for any reason, found or held to be invalid or
unconstitutional by any Court of competent jurisdiction, then such section, subsection, sentence,
clause, phrase, or portion and application thereof to such circumstances, case or instance as to
any person, firm or corporation, shall be deemed a separate, distinct, and independent act,
finding, or holding, and such act, finding or holding shall not affect the validity and application
of the remaining portions thereof or the particular portion as it affects other persons, firms, or
corporations.
SECTION 14. EFFECTIVE DATE. This Act shall take effect July 1, 2020.
Adopted this 29th day of May, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: ________________________________
    Todd M. Turner
    Council Chair

ATTEST:

______________________________
Donna J. Brown
Clerk of the Council

APPROVED:

DATE: ________________________  BY: ________________________________
    Angela D. Alsobrooks
    County Executive

Note: See Appendices A & B