

PROVIDED THE CONSENT OR APPROVAL OF THE BOARD, COMMISSION, AUTHORITY OR PUBLIC CORPORATION HAVING JURISDICTION IS FIRST HAD AND OBTAINED.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sub-section (a) of Section 9 of Article 23A of the Annotated Code of Maryland (1957 Edition), title "Corporations—Municipal", sub-title "Home Rule", sub-heading "Definitions and Limitations", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

9.

(a) "Municipal corporation" defined; construction of article and certain local laws.—As used in this sub-title the term "municipal corporation" shall include all cities, towns and villages, now or hereafter created under any general or special law of this State for general governmental purposes, which are subject to the provisions of Article 11E of the Constitution of Maryland, which possess legislative, administrative and police powers for the general exercise of municipal functions, and which carry on such functions through a set of elected and other officials. The term is not to include any special tax area or district, sanitary district, park or planning district, soil conservation district or other public agency exercising specific powers within a defined area but which does not exercise general municipal functions and the term is not to include the mayor and city council of Baltimore. Nothing herein contained shall be construed to confer upon any municipal corporation, as herein defined, located within any such tax area or district, the power by incorporation, charter amendment, annexation or otherwise to exercise or perform, divest or duplicate, within its corporate limits any of the special powers or duties theretofore conferred upon the board, commission, authority or public corporation, created or appointed in accordance with law, to administer any such special tax area or district ~~without the consent or approval of such board, commission, authority or public corporation,~~ EXCEPT THAT, SUBJECT TO THE CONSENT OR APPROVAL OF THE BOARD, COMMISSION, AUTHORITY OR PUBLIC CORPORATION HAVING JURISDICTION, ANY MUNICIPAL CORPORATION MAY PROVIDE WITHIN ITS CORPORATE LIMITS PARKS, GARDENS, PLAYGROUNDS AND OTHER RECREATIONAL FACILITIES, nor shall any provision of this sub-title be construed to empower any municipal corporation as herein defined, by incorporation, charter amendment, annexation, or otherwise, to exclude the area within its corporate limits from the levy of taxes upon property in such area or the imposition therein of special benefit assessments or service charges for the support of any such board, commission, authority or other public corporation. No local law conferring special powers or duties on any such board, commission, authority or public corporation shall be construed to divest any municipal corporation exercising the same powers or performing the same duties within its corporate limits, in accordance with law, of its right to continue the exercise of such powers or the performance of such duties, it being the intent hereof to avoid duplication in the rendition of public services. The General Assembly hereby finds, determines and declares that the term "Municipal corporation" in Article 11E of the Constitution of Maryland does not embrace or include any such special