

to provide a procedure for the immediate ~~taxing~~ TAKING of private property for public use in Anne Arundel County, providing for the submission of this amendment to the qualified voters of the State of Maryland for their adoption or rejection, and providing for a contingency by which this amendment may be void and of no further effect.

SECTION 1. *Be it enacted by the General Assembly of Maryland, (Three-fifths of all the members of each of the two houses concurring), That the following amendment be and the same is hereby proposed to Section 40A of Article III of the Constitution of Maryland, title "Legislative Department," the same if adopted by the legal and qualified voters of the State, as herewith provided, to become a part of the Constitution of Maryland, and to read as follows:*

40A.

The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation, to be agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation, but where such property is situated in Baltimore City and is desired by this State or by the Mayor and City Council of Baltimore, the General Assembly may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof by the State or by the Mayor and City Council of Baltimore, or into court, such amount as the State or the Mayor and City Council of Baltimore, as the case may be, shall estimate to be the fair value of said property, provided such legislation also requires the payment of any further sum that may subsequently be added by a jury; and further provided that the authority and procedure for the immediate taking of property as it applies to the Mayor and City Council of Baltimore on June 1, 1961, shall remain in force and effect to and including June 1, 1963 [.] ; and where such property is situated in *Anne Arundel County or in Baltimore County* and is desired by *Anne Arundel or Baltimore County, Maryland, respectively*, the County Council of [Baltimore County, Maryland,] *said county* may provide for the appointment of an appraiser or appraisers by a Court of Record to value such property and that upon payment of the amount of such evaluation, to the party entitled to compensation, or into Court, and securing the payment of any further sum that may be awarded by a jury, such property may be taken; and where such property is situated in Montgomery County and in the judgment of and upon a finding by the County Council of said County that there is immediate need therefor for right of way for County roads or streets, the County Council may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof, or into court, such amount as a licensed real estate broker appointed by the County Council shall estimate to be the fair market value of such property, provided that the Council shall secure the payment of any further sum that may subsequently be awarded by a jury. This Section 40A shall not apply in Montgomery County if the property actually to be taken includes a building or buildings. *The amendment to this section, if adopted by the voters in the year 1968, at the time it becomes effective, is void and of no further effect if the voters of*