

land or interest therein involved shall be effective upon the filing of such pleading if accompanied by the estimated payment herein provided for. The declaration of taking, whether filed individually or as part of a petition for condemnation, shall include the Commission's statement as to the number of takings of land or interests in land necessary to it for the construction of the water supply, sewerage or drainage project and that it has acquired or is acquiring by purchase or by procedures other than the declaration of taking method one-half or more of the several takings needed for the construction project therein involved. As used in this section, water supply, sewerage or drainage project extension or construction includes any water main, sewer, drain or appurtenance of such main, sewer or drain, fire hydrants, reservoirs, water purification plant, tanks, pumping stations and sewage disposal plants. The declaration of taking shall contain a description of the land or interest in land being taken, shall name the Commission as plaintiff and the owner or owners of the land or interests therein as defendants, as in the usual condemnation proceedings, and if the petition for condemnation is not on file or filed simultaneously therewith the declaration of taking shall be docketed as a law case by the Clerk of the Circuit Court, the same as condemnation proceedings are docketed. Notice of and service on the owner or owners of the declaration of taking shall be accomplished in the same manner as is provided for petitions for condemnation. The declaration of taking shall identify the qualified appraiser and specify the estimated valuation required by subsection (a). The date of filing the declaration of taking, accompanied by the payment required hereunder, shall in any subsequent proceeding thereon be the operative date of such taking with respect to the determination of the fair value of the land or interests therein taken and damages, if any, occasioned by the taking.

SEC. 2. *And be it further enacted*, That if any word, phrase, clause, sentence or any part or parts of this Act shall be held unconstitutional by any Court of competent jurisdiction, such unconstitutionality shall not affect the validity of the remaining parts of this Act.

SEC. 3. *And be it further enacted*, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety, and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two houses of the General Assembly of Maryland, the same shall take effect from the date of its passage.

Approved March 24, 1967.

CHAPTER 54
(House Bill 224)

AN ACT relating to the Washington Suburban Sanitary Commission, to add new Section 83-57A to the Public Local Laws of Prince George's County (1963 Edition) and new Section 71-4A