

WHEREAS, the General Assembly of Maryland in the 1968 Session enacted legislation authorizing a payment of up to \$5,000.00, in addition to fair market value, to the owner-occupant of one and two-family dwellings whose homes were being taken for a public purpose if such amount was necessary for the owner to acquire a comparable decent, safe and sanitary dwelling. The Maryland law became effective June 1, 1968; and

WHEREAS, the Congress enacted a law which became effective on August 23, 1968, (Public Law 90-495—90th Congress), which provided and made mandatory an additional payment of up to \$5,000.00 over and above fair market value to the owner-occupant of one, two and three-family dwellings whose dwellings were being taken for Federal Aid highway purposes, if such amount was necessary for the owner to acquire a comparable decent, safe and sanitary dwelling under certain conditions; and

WHEREAS, in addition to such a maximum \$5,000.00 payment, the Congress provided that certain other payments be made in cases where homes, businesses, farms, and non-profit organizations were being taken for Federal Aid highway purposes. These include a maximum payment of \$1,500.00 to persons who have not owned their residences for a year, (this generally benefits tenants); the total moving cost to a homeowner, a tenant in a residential house or a commercial business, or the cost of moving a farm operation or non-profit organization, as well as certain incidental expenses of a minor nature; and

WHEREAS, the benefits received by persons whose property is being acquired because of a Federal Aid highway project exceed the benefits allowed a person whose property is being acquired because of the construction of a State financed highway project; and

WHEREAS, it is deemed to be in the public interest that the payments to all persons whose property is being acquired for highway purposes be equal, whether or not the highway is partially financed by Federal funds; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland, That new Section 6B be and it is hereby added to Article 33A of the Annotated Code of Maryland (1967 Replacement Volume and 1968 Supplement), title "Eminent Domain," to follow immediately after Section 6A thereof, and to read as follows:*

*6B.*

*(a) It is hereby declared to be the intent of the General Assembly that payments, in addition to fair market value, to all persons whose property is being acquired for all highway projects in the State be equal. In order to accomplish this, the State Roads Commission is authorized to pay to persons whose property is being taken for a highway wholly financed by State funds (1) the relocation payments and moving cost allowed the owners of residential, business, non-profit organizations and farms as such payments are provided in Section 505 of Public Law 90-495, as enacted by the 90th Congress; (2) the \$1,500.00 maximum payment to persons as provided in Section 506 (b) of Public Law 90-495 as enacted by the 90th Congress (this payment mostly benefits tenants); and (3) the incidental expenses not heretofore authorized by Maryland law as such pay-*