

SEC. 2. *Be it further enacted*, That this Act shall take effect on December 7, 1970.

Approved April 28, 1970

CHAPTER 471
(House Bill 344)

AN ACT to repeal and re-enact with amendments Sections 26A-2, 26A-3(d) and (e)(1), (e)(3) and (e)(5), and 26A-4(a) and (e) of the Montgomery County Code 1965, as amended, (being also Article 16 of the Code of Public Local Laws of Maryland) Chapter 26A, title "Public Facility Area Development"; said sections having been added to the Montgomery County Code by Chapter 607 of the Laws of Maryland 1968; to authorize the County Executive and the County Council to propose "Public Facility Areas" and "Public Facility Area Plans," to provide for the approval of proposals for "Public Facility Areas" or "Public Facility Area Plans" by the County Council subject to the right of veto by the County Executive and reapproval by the County Council, to require the County Executive to execute Public Facility Area Plans in accordance with their terms and conditions and to specify the powers and authority of the County Executive in carrying out Public Facility Area projects.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Sections 26A-2, 26A-3(d) and (e)(1), (e)(3) and (e)(5), and 26A-4(a) and (e) of the Montgomery County Code 1965, as amended, (being also Article 16 of the Code of Public Local Laws of Maryland) Chapter 26A, title "Public Facility Area Development," be and hereby are repealed and re-enacted with amendments to read as follows:

26A-2. Findings and declaration of public purpose.

It is hereby found and declared that [the] Montgomery County [Council], the State of Maryland, and other public agencies operating within Montgomery County face very large and continuing expenditures for the provision of highways, schools, health centers, rapid transit lines and stations, and other public facilities to serve a growing population; that the benefits and costs of such major public facilities may be significantly affected by securing the orderly, planned development of land adjacent to those public facilities; that the costs and benefits at issue are (1) efficiency and economy in the provision of public services, both in capital cost and in operating cost, by means of the functional use and usefulness of the public facility plus the impact of the facility upon the overall land and facility development pattern proposed in the General Plan of the County, and (2) attractiveness and amenity of the physical environment, and (3) growth in the local economy and tax base. It is further found and declared that these benefits derived from orderly development adjacent to public facilities can be secured much more reliably by a process whereby land adjacent to the proposed public facility is purchased at the time that land for the facility itself is