

## CHAPTER 188

(House Bill 1476)

AN ACT to add new Section 10B to Article 77A of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Higher Education," subtitle "Community Colleges," to follow immediately after Section 10A thereof, to provide that prior to the acquisition of real property for the use and operation of a community college in Montgomery County, the Board of Trustees of the College shall obtain site recommendations from the commission or agency having legal responsibility for county planning for land use, shall select a site from among the commission's recommendations and shall obtain approval of the site from the County Council for Montgomery County.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 10B be and it is hereby added to Article 77A of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Higher Education," subtitle "Community Colleges," to follow immediately after Section 10A thereof, and to read as follows:

## 10B.

(A) PRIOR TO THE ACQUISITION OF REAL PROPERTY FOR THE USE AND OPERATION OF A COMMUNITY COLLEGE IN MONTGOMERY COUNTY, THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE SHALL REQUEST IN WRITING FROM THE COMMISSION OR AGENCY HAVING LEGAL RESPONSIBILITY FOR COUNTY PLANNING FOR LAND USE THE COMMISSION'S CONFIDENTIAL RECOMMENDATIONS AS TO SITES APPROPRIATE FOR THE ACQUISITION WHICH MEET THE COLLEGE'S REQUESTS AND STATE REGULATIONS AS WELL AS CONFORMING AS FAR AS PRACTICABLE TO DEVELOPMENT PLANS FOR LAND USE IN THE COUNTY. IN ITS REQUEST, THE BOARD SHALL DESIGNATE FOR THE COMMISSION ANY SITES WHICH THE BOARD MAY HAVE UNDER TENTATIVE CONSIDERATION; PROVIDED HOWEVER, THAT THE COMMISSION SHALL NOT BE LIMITED IN ITS RECOMMENDATIONS TO THE SITES DESIGNATED BY THE BOARD. THE COMMISSION'S RECOMMENDATIONS TO ALL DESIGNATED SITES SHALL BE MADE IN WRITING TO THE BOARD WITHIN 45 DAYS FOLLOWING RECEIPT OF THE INITIAL REQUEST FROM THE BOARD.

(B) UPON RECEIPT OF THE SITE RECOMMENDATIONS FROM THE COMMISSION, THE BOARD SHALL RANK SUITABLE SITES AND SELECT THE SITE WHICH IT FEELS IS MOST SUITABLE FOR ITS INTENDED PURPOSE FROM AMONG THE COMMISSION'S RECOMMENDATIONS. IF A SELECTION IS MADE, THE BOARD SHALL FORWARD IT TOGETHER WITH THE OTHER RECOMMENDATIONS MADE BY THE COMMISSION TO THE COUNTY COUNCIL FOR MONTGOMERY COUNTY PRIOR TO SITE ACQUISITION. WITHIN 45 DAYS AFTER RECEIPT OF THE BOARD'S SELECTION THE COUNCIL SHALL EITHER APPROVE OR DISAPPROVE THE BOARD'S SELECTION AND, IF DISAPPROVED, THE COUNCIL SHALL INDICATE TO THE BOARD IN WRITING THE REASONS FOR THIS DISAPPROVAL. IN THE EVENT OF DISAPPROVAL BY THE COUNCIL, THE BOARD SHALL SELECT A NEW SITE FROM AMONG THOSE CONSIDERED BY THE COMMISSION. WHEN A NEW SELECTION IS MADE IT SHALL BE