

FOR the purpose of modifying exemptions relating to land acquisitions by the State and involving Board of Public Works approval and notice to local governments; providing that the exemptions concerning certain units within the Department of Transportation extend solely to certain notice and comment provisions and not to Board of Public Works approval; providing for the effective date of this Act; and generally relating to procedures concerning land acquisition by units of State government.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 4–415
Annotated Code of Maryland
(1995 Replacement Volume and 1998 Supplement)

Preamble

WHEREAS, In 1995, the General Assembly enacted legislation requiring that the Land Acquisition Division of the Department of General Services provide written notice to the governing body of a county or municipal corporation when the State sought to acquire real property within its jurisdiction, and provide an opportunity for the local governing body to comment, before the Board of Public Works acted on the land acquisition; and

WHEREAS, Prior to that enactment, the only exception to State land acquisitions requiring Board of Public Works approval involved the Department of Transportation and the Maryland Transportation Authority in connection with State road, bridge, and highway projects; and

WHEREAS, In enacting the 1995 legislation, the General Assembly intended to provide an exception pertaining to the Maryland Aviation Administration, the Maryland Port Authority, and the Mass Transit Administration under the provision governing notice by the Land Acquisition Division of the Department of General Services; and

WHEREAS, In enacting the 1995 legislation, the General Assembly did not intend to modify the role of the Board of Public Works; and

WHEREAS, In amending the 1995 legislation, a drafting error resulted in the General Assembly inadvertently exempting land acquisitions by the Maryland Aviation Administration, the Maryland Port Authority, and the Mass Transit Administration from Board of Public Works approval; and

WHEREAS, Legislation is necessary to correct this error and to reflect actual legislative intent; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: