

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
1999 Legislative Session

Bill No. CB-27-1999
 Chapter No. 13
 Proposed and Presented by Chairman M. H. Jim Estepp
 Introduced by Council Member Wilson
 Co-Sponsors _____
 Date of Introduction May 25, 1999

BILL

1 AN ACT concerning

2 Maryland-National Capital Park and Planning Commission

3 For the purpose of approving the Prince George's County portion of the Maryland-National
 4 Capital Park and Planning Commission budget and making appropriations and levying certain
 5 taxes for Fiscal Year 1999-2000 for the Maryland-National Capital Park and Planning
 6 Commission, pursuant to the provisions of Article 28 of the Annotated Code of Maryland, as
 7 amended ("Article 28").

8 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 9 Maryland, that in accordance with Section 2-118 of Article 28, the annual budget transmitted to
 10 the County Council by the Maryland-National Capital Park and Planning Commission on
 11 January 15, 1999, as revised on April 13, 1999, is approved insofar as it applies to Prince
 12 George's County; subject, however, to the additions, deletions, increases or decreases thereto
 13 which are contained in Appendix A to this enactment and incorporated herein by reference; that
 14 the revenues to be derived from the rates hereinafter established are hereby appropriated and
 15 authorized to be disbursed for the purposes specified by the provisions of Article 28, as
 16 amended, and for the support and maintenance of the purposes as expressed in the budget.

17 SECTION 2. ADMINISTRATION TAX. Pursuant to Section 6-107 of Article 28, there is
 18 hereby imposed and levied for the Fiscal Year 1999-2000 a tax of 11.23 cents on each one
 19 hundred dollars (\$100.00) of assessable valuation for property located in that portion of the
 20 Maryland-Washington Regional District lying within Prince George's County. The proceeds of
 21 the collection of such tax shall be paid to the Maryland-National Capital Park and Planning

1 Commission and shall constitute the Administration Fund of said Commission. Of the proceeds
2 collected, \$500,000 shall be allocated as a grant to the County Council for the reimbursement of
3 the planning and zoning functions of the Legislative Branch, as described in the Regional
4 District Act.

5 SECTION 3. ADVANCE LAND ACQUISITION FUND. Pursuant to the provisions of
6 Section 7-106(e) of Article 28, there is hereby imposed and levied for the Fiscal Year 1999-2000
7 a tax of 0.62 cents on each one hundred dollars (\$100.00) assessed value for all real and personal
8 property, assessable according to the laws of Maryland and subject to taxation in Prince George's
9 County, to be utilized for advance land acquisition in Prince George's County, in accordance
10 with the terms and conditions of the above-cited statute, as amended. The proceeds from the
11 collection of said tax shall be paid to the Maryland-National Capital Park and Planning
12 Commission for the purpose of debt service on the principal and interest on bonds issued for the
13 Commission's land acquisition revolving fund, and any excess shall be paid into said fund.

14 SECTION 4. METROPOLITAN DISTRICT TAX - MANDATORY. Pursuant to the
15 provisions of Section 6-106(c) of Article 28, there is hereby imposed and levied for the Fiscal
16 Year 1999-2000 a tax of 10.00 cents on each one hundred dollars (\$100.00) of all real and
17 personal property subject to assessment and taxation by Prince George's County which is located
18 in that portion of the Maryland-Washington Metropolitan District of Prince George's County.
19 The proceeds of the collection of such tax shall be paid to the Maryland-National Capital Park
20 and Planning Commission and shall be applied to the purposes set forth in Section 6-106(c) of
21 Article 28.

22 SECTION 5. METROPOLITAN DISTRICT TAX - DISCRETIONARY. Pursuant to
23 Section 6-106(d) of Article 28, there is hereby imposed and levied for the Fiscal Year 1999-2000
24 a tax of 25.34 cents on each one hundred dollars (\$100.00) of all real and personal property
25 subject to assessment and taxation by Prince George's County which is located in that portion of
26 the Maryland-Washington Metropolitan District within Prince George's County. Of the tax
27 collected, \$245,100 is identified for the Bladensburg Marina Enterprise Fund. The proceeds of
28 the collection of such tax shall be paid to the Maryland-National Capital Park and Planning
29 Commission and shall be applied to the purposes set forth in Section 6-106(d) of Article 28.

30 SECTION 6. RECREATION TAX. Pursuant to Section 6-106(e) of Article 28, there is
31 hereby imposed and levied for the Fiscal Year 1999-2000 a tax to support recreational activities

1 in the amount of 13.81 cents on each one hundred dollars (\$100.00) of all real and personal
2 property subject to assessment and taxation by Prince George's County. The proceeds of such
3 tax shall be remitted to the Maryland-National Capital Park and Planning Commission, and shall
4 be applied to the purposes set forth in Section 6-106(e) of Article 28.

5 SECTION 7. The County Council of Prince George's County hereby adopts the schedules
6 of "Revenues as to Source" as set forth in Appendix A to this enactment and incorporates said
7 Appendix herein by this reference.

8 SECTION 8. GRANT AND SPECIAL FUNDING. All grants and Land Reclamation
9 revenue received by the Maryland-National Capital Park and Planning Commission shall be
10 considered as additions to, and automatic amendments of, the Commission's Operating and CIP
11 Budgets and work programs, provided that the Commission shall have advised the County
12 Council of such revenue at the time the revenue was being sought, whether by grant application
13 or by other applicable special funding application procedures. This section does not, in any way,
14 affect the process for legislative appropriation of tax revenue to the Commission.

15 SECTION 9. PARK ACQUISITION AND DEVELOPMENT. The Prince George's
16 County portion of the Maryland-National Capital Park and Planning Commission Fiscal Year
17 1999-2000 Capital Budget is hereby adopted and shall consist of all previously approved park
18 acquisition and development projects (as revised) with appropriations in the budget year of the
19 Maryland-National Capital Park and Planning Commission Fiscal Years 2000-2005 Capital
20 Improvement Program as such projects are included in the adopted Prince George's County
21 Fiscal Years 2000-2005 Capital Improvement Program and the new projects listed in Appendix
22 B, which is attached hereto and incorporated herein.

23 SECTION 10. GUARANTEE OF PRINCIPAL AND INTEREST ON BONDS. Pursuant
24 to the provisions of Section 6-101(d) of Article 28, as amended, the payment of the principal of
25 and interest on any and all bonds sold by the Maryland-National Capital Park and Planning
26 Commission, the proceeds of which are to be used to finance any of the projects adopted by
27 Section 9, are hereby guaranteed by the County as provided in Article 28. The guarantee shall be
28 in the form described by Section 6-101(d), Article 28, and shall be endorsed on the bonds on
29 behalf of the County by the manual or facsimile signature of the County Executive. The full
30 faith and credit of the County is hereby irrevocably pledged to the fulfillment of the guarantee of
31 the payment of interest when due and the principal on maturity and taxes will be levied in

1 accordance with Sections 6-102 and 6-106 of Article 28, as necessary. The County Executive
2 and the Clerk of the Council are hereby authorized to take all necessary actions to adopt and
3 record their facsimile signatures and to execute all documents required for the sale of the bonds.

4 SECTION 11. RESTRICTED CONTINGENCY RESERVE. The County Council of
5 Prince George's County in adopting this Fiscal Year 1999-2000 budget has included \$16,670,363
6 in the Park Fund as restricted contingency reserve. This reserve is set aside to offset future tax
7 rate increases and is to be utilized for the exclusive purpose of funding the debt service and
8 operation and maintenance costs associated with approved capital projects in the Park Fund. No
9 portion of this reserve is to be utilized or expended in fiscal year 2000 without the prior express
10 approval of the Prince George's County Council.

11 SECTION 12. SEVERABILITY. If the application of this Act or any section, subsection,
12 sentence, clause, phrase, or portion thereof, as it applies in any circumstances, case or instance to
13 any person, firm, or corporation, is for any reason found or held to be invalid or unconstitutional
14 by any Court of competent jurisdiction, such section, subsection, sentence, clause, phrase, or
15 portion and application thereof to such circumstances, case or instance as to any person, firm or
16 corporation, shall be deemed a separate, distinct, and independent act, finding, or holding, and
17 such act, finding or holding shall not affect the validity and application of the remaining portions
18 thereof or the particular portion as it affects other persons, firms or corporations.

19

SECTION 13. EFFECTIVE DATE. This Act shall take effect July 1, 1999.

Adopted this 25th day of May, 1999.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
M. H. Jim Estepp
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

Note: Attachments available in hard copy only