

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2016 Legislative Session**

Bill No. CB-31-2016  
Chapter No. 10  
Proposed and Presented by Council Member Davis  
Introduced by Council Members Davis, Toles, Lehman, Turner, Glaros, Franklin, Taveras  
Date of Introduction May 26, 2016

**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-  
4 National Capital Park and Planning Commission budget and making appropriations and  
5 levying certain taxes for Fiscal Year 2017 for the Maryland-National Capital Park and  
6 Planning Commission, pursuant to the provisions of the Land Use Article of the  
7 Annotated Code of Maryland, as amended ("Land Use Article").

8 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
9 Maryland, that, in accordance with Title 18 of the Land Use Article, the annual budget  
10 transmitted to the County Council by the Maryland-National Capital Park and Planning  
11 Commission on January 11, 2016, and as amended on May 2, 2016, is approved insofar  
12 as it applies to Prince George's County subject, however, to the additions, deletions,  
13 increases or decreases thereto which are contained in Appendix A to this Act, attached  
14 hereto and incorporated as if fully stated herein, and that the revenues to be derived from  
15 the rates herein be and the same established are hereby appropriated and authorized to be  
16 disbursed for the purposes specified by the provisions of Land Use Article, as amended,  
17 and for the support and maintenance of the purposes as expressed in the budget.

18 SECTION 2. ADMINISTRATION TAX. Pursuant to Sections 18-302 and 18-307  
19 of the Land Use Article, there is hereby imposed and levied for the Fiscal Year 2017 a tax  
20 of five and sixty-six hundredths cents (\$0.0566) upon each one hundred dollars (\$100.00)  
21 of assessed valuation of real property and fourteen and fifteen and one-half hundredths

1 cents (\$0.14155) upon each one hundred dollars (\$100.00) of assessed valuation of  
2 personal property and operating real property described in Section 8-109 of the Tax-  
3 Property Article for property located in that portion of the Maryland-Washington  
4 Regional District lying within Prince George's County. The proceeds of the collection of  
5 such tax shall be paid to the Maryland-National Capital Park and Planning Commission  
6 and shall constitute the Administration Fund of said Commission. Of the proceeds  
7 collected, \$1,137,300 shall be allocated as a grant to the County Council for the  
8 reimbursement of the planning and zoning functions of the Legislative Branch, as  
9 described in the Regional District Act.

10 SECTION 3. ADVANCE LAND ACQUISITION FUND. Pursuant to the  
11 provisions of Section 18-401(c) of the Land Use Article, there is hereby imposed and  
12 levied for the Fiscal Year 2017 a tax of zero cents (\$0.00) upon each one hundred dollars  
13 (\$100.00) of assessed valuation of real property and zero cents (\$0.00) upon each one  
14 hundred dollars (\$100.00) of assessed valuation of personal property and operating real  
15 property described in Section 8-109 of the Tax-Property Article, assessable according to  
16 the laws of Maryland and subject to taxation in Prince George's County, to be utilized for  
17 advance land acquisition in Prince George's County, in accordance with the terms and  
18 conditions of the above-cited statute, as amended. The proceeds from the collection of  
19 said tax shall be paid to the Maryland-National Capital Park and Planning Commission  
20 for the purpose of debt service on the principal and interest on bonds issued for the  
21 Commission's land acquisition revolving fund, and any excess shall be paid into said  
22 fund.

23 SECTION 4. METROPOLITAN DISTRICT TAX-MANDATORY. Pursuant to  
24 the provisions of Sections 18-302 and 18-304(b) of the Land Use Article, there is hereby  
25 imposed and levied for the Fiscal Year 2017 a tax of four cents (\$0.04) upon each one  
26 hundred dollars (\$100.00) of assessed valuation of real property and ten cents (\$0.10)  
27 upon each one hundred dollars (\$100.00) of assessed valuation of personal property and  
28 operating real property described in Section 8-109 of the Tax-Property Article subject to  
29 assessment and taxation by Prince George's County which is located in that portion of the  
30 Maryland-Washington Metropolitan District lying within Prince George's County. The  
31 proceeds of the collection of such tax shall be paid to the Maryland-National Capital Park

1 and Planning Commission and shall be applied to the purposes set forth in Section 18-  
2 304(b) of the Land Use Article.

3 SECTION 5. METROPOLITAN DISTRICT TAX-DISCRETIONARY. Pursuant  
4 to Section 18-304(c) of the Land Use Article, there is hereby imposed and levied for  
5 Fiscal Year 2017 a tax of eleven and ninety-four hundredths cents (\$0.1194) upon each  
6 one hundred dollars (\$100.00) of assessed valuation of real property and twenty-nine and  
7 eighty-five hundredths cents (\$0.2985) upon each one hundred dollars (\$100.00) of  
8 assessed valuation of personal property and operating real property described in Section  
9 8-109 of the Tax-Property Article subject to assessment and taxation by Prince George's  
10 County which is located in that portion of the Maryland-Washington Metropolitan  
11 District within Prince George's County. The proceeds of the collection of such tax shall  
12 be paid to the Maryland-National Capital Park and Planning Commission and shall be  
13 applied to the purposes set forth in Section 18-304(c) of the Land Use Article.

14 SECTION 6. RECREATION TAX. Pursuant to Section 18-302 of the Land Use  
15 Article, there is hereby imposed and levied for the Fiscal Year 2016 a tax to support  
16 recreational activities in the amount of seven and eighty hundredths cents (\$0.0780) upon  
17 each one hundred dollars (\$100.00) of assessed valuation of real property and nineteen  
18 and forty-nine and one-half hundredths cents (\$0.19495) upon each one hundred dollars  
19 (\$100.00) of assessed valuation of personal property and operating real property  
20 described in Section 8-109 of the Tax-Property Article subject to assessment and taxation  
21 by Prince George's County. The proceeds of such tax shall be remitted to the Maryland-  
22 National Capital Park and Planning Commission, and shall be applied to the purposes set  
23 forth in Section 18-302 of the Land Use Article.

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

27 SECTION 8. OTHER POST EMPLOYMENT BENEFITS ("OPEB"). The budget  
28 reflects funding for the annual required contribution ("ARC") and the pay-as-you-go  
29 amount to prefund retiree medical costs.

30 SECTION 9. GRANT AND SPECIAL FUNDING. All grants and Land  
31 Reclamation revenue received by the Maryland-National Capital Park and Planning

1 Commission shall be considered as additions to, and automatic amendments of, the  
2 Commission's Operating and CIP Budgets and work programs, provided that the  
3 Commission shall have advised the County Council of such revenue at the time the  
4 revenue was being sought, whether by grant application or by other applicable special  
5 funding application procedures. This section does not, in any way, affect the process for  
6 legislative appropriation of tax revenue to the Commission.

7 SECTION 10. PARK ACQUISITION AND DEVELOPMENT. The Prince  
8 George's County portion of the Maryland-National Capital Park and Planning  
9 Commission Fiscal Year 2017 Capital Budget is hereby adopted and shall consist of all  
10 previously approved park acquisition and development projects (as revised) with  
11 appropriations in the budget year of the Maryland-National Capital Park and Planning  
12 Commission Fiscal Years 2017-2022 Capital Improvement Program as such projects are  
13 included in the adopted Prince George's County Fiscal Years 2017-2022 Capital  
14 Improvement Program and the new projects listed in Appendix B, which is attached  
15 hereto and incorporated herein.

16 SECTION 11. GUARANTEE OF PRINCIPAL AND INTEREST ON BONDS.  
17 Pursuant to the provisions of Section 18-204 of the Land Use Article, the payment of the  
18 principal of and interest on any and all bonds sold by the Maryland-National Capital Park  
19 and Planning Commission, the proceeds of which are to be used to finance any of the  
20 projects adopted by Section 10, are hereby guaranteed by the County as provided in Land  
21 Use Article. The guarantee shall be in the form described by Section 18-20 of the Land  
22 Use Article, and shall be endorsed on the bonds on behalf of the County by the manual or  
23 facsimile signature of the County Executive. The full faith and credit of the County is  
24 hereby irrevocably pledged to the fulfillment of the guarantee of the payment of interest  
25 when due and the principal on maturity and taxes will be levied in accordance with  
26 Sections 18-209, 18-302, 18-304(a), 18-304(b), 18-304(c), and 18-304(e) of the Land Use  
27 Article, as necessary. The County Executive and the Clerk of the Council are hereby  
28 authorized to take all necessary actions to adopt and record their facsimile signatures and  
29 to execute all documents required for the sale of the bonds.

30  
31 SECTION 12. PROJECT CHARGES AND PROGRAM SUPPORT. Any revenue

1 from Maryland-National Capital Park and Planning Commission (“M-NCPPC”) funds  
2 used for project charges or program support of County programs shall be based on  
3 quarterly invoices submitted by the County to M-NCPPC or such other methods as the  
4 County and M-NCPPC shall mutually agree upon.

5 SECTION 13. SEVERABILITY. If the application of this Act or any section,  
6 subsection, sentence, clause, phrase, or portion thereof, as it applies in any circumstances,  
7 case, or instance to any person, firm, or corporation is, for any reason, found or held to be  
8 invalid or unconstitutional by any Court of competent jurisdiction, then such section,  
9 subsection, sentence, clause, phrase, or portion and application thereof to such  
10 circumstances, case or instance as to any person, firm or corporation, shall be deemed a  
11 separate, distinct, and independent act, finding, or holding, and such act, finding or  
12 holding shall not affect the validity and application of the remaining portions thereof or  
13 the particular portion as it affects other persons, firms or corporations.  
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SECTION 14. EFFECTIVE DATE. This Act shall take effect July 1, 2016.

Adopted this 26th day of May, 2016.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

Note: See Appendices A & B