

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2011 Legislative Session

Bill No. CB-23-2011

Chapter No. 2

Proposed and Presented by Council Member Turner

Introduced by Council Members Turner and Campos

Date of Introduction May 26, 2011

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 2012 for the Maryland-National Capital Park and Planning Commission,
6 pursuant to the provisions of Article 28 of the Annotated Code of Maryland, as amended
7 ("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, 2011 is approved insofar as it applies to Prince George's County; subject, however,
12 to the additions, deletions, increases or decreases thereto which are contained in Appendix A to
13 this enactment and incorporated herein by reference; that the revenues to be derived from the
14 rates hereinafter established are hereby appropriated and authorized to be disbursed for the
15 purposes specified by the provisions of Article 28, as amended, and for the support and
16 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 2012 a tax of four and sixty-six hundredths cents
19 (\$0.0466) upon each one hundred dollars (\$100.00) of assessed valuation of real property and
20 eleven and sixty-five hundredths cents (\$0.1165) upon each one hundred dollars (\$100.00) of

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

9 SECTION 3. ADVANCE LAND ACQUISITION FUND. Pursuant to the
10 provisions of Section 7-106(e) of Article 28, there is hereby imposed and levied for the
11 Fiscal Year 2012 a tax of zero cents (\$0.00) upon each one hundred dollars (\$100.00) of
12 assessed valuation of real property and zero cents (\$0.00) upon each one hundred dollars
13 (\$100.00) of assessed valuation of personal property and operating real property
14 described in Section 8-109 of the Tax-Property Article, assessable according to the laws
15 of Maryland and subject to taxation in Prince George's County, to be utilized for advance
16 land acquisition in Prince George's County, in accordance with the terms and conditions
17 of the above-cited statute, as amended. The proceeds from the collection of said tax shall
18 be paid to the Maryland-National Capital Park and Planning Commission for the purpose
19 of debt service on the principal and interest on bonds issued for the Commission's land
20 acquisition revolving fund, and any excess shall be paid into said fund.

21 SECTION 4. METROPOLITAN DISTRICT TAX - MANDATORY. Pursuant to
22 the provisions of Section 6-106(c) of Article 28, there is hereby imposed and levied for
23 the Fiscal Year 2012 a tax of four cents (\$0.04) upon each one hundred dollars (\$100.00)
24 of assessed valuation of real property and ten cents (\$0.10) upon each one hundred
25 dollars (\$100.00) of assessed valuation of personal property and operating real property
26 described in Section 8-109 of the Tax-Property Article subject to assessment and taxation
27 by Prince George's County which is located in that portion of the Maryland-Washington
28 Metropolitan District of Prince George's County. The proceeds of the collection of such
29 tax shall be paid to the Maryland-National Capital Park and Planning Commission and
30 shall be applied to the purposes set forth in Section 6-106(c) of Article 28.

31 SECTION 5. METROPOLITAN DISTRICT TAX - DISCRETIONARY.

1 Pursuant to Section 6-106(d) of Article 28, there is hereby imposed and levied for the
2 Fiscal Year 2012 a tax of thirteen and nineteen hundredths cents (\$0.1319) upon each one
3 hundred dollars (\$100.00) of assessed valuation of real property and thirty-two and
4 ninety-eight hundredths cents (\$0.3298) upon each one hundred dollars (\$100.00) of
5 assessed valuation of personal property and operating real property described in Section
6 8-109 of the Tax-Property Article subject to assessment and taxation by Prince George's
7 County which is located in that portion of the Maryland-Washington Metropolitan
8 District within Prince George's County. The proceeds of the collection of such tax shall
9 be paid to the Maryland-National Capital Park and Planning Commission and shall be
10 applied to the purposes set forth in Section 6-106(d) of Article 28.

11 SECTION 6. RECREATION TAX. Pursuant to Section 6-106(e) of Article 28,
12 there is hereby imposed and levied for the Fiscal Year 2012 a tax to support recreational
13 activities in the amount of six and five hundredths cents (\$0.0605) upon each one
14 hundred dollars (\$100.00) of assessed valuation of real property and fifteen and twelve
15 hundredths cents (\$0.1512) upon each one hundred dollars (\$100.00) of assessed
16 valuation of personal property and operating real property described in Section 8-109 of
17 the Tax-Property Article subject to assessment and taxation by Prince George's County.
18 The proceeds of such tax shall be remitted to the Maryland-National Capital Park and
19 Planning Commission, and shall be applied to the purposes set forth in Section 6-106(e)
20 of Article 28.

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

24 SECTION 8. OTHER POST EMPLOYMENT BENEFITS (OPEB). The budget
25 reflects funding for the third year of an eight year phase-in commitment of the difference
26 between the annual required contribution (ARC) and the pay-as-you-go amount to
27 prefund retiree medical costs.

28 SECTION 9. GRANT AND SPECIAL FUNDING. All grants and Land
29 Reclamation revenue received by the Maryland-National Capital Park and Planning
30 Commission shall be considered as additions to, and automatic amendments of, the
31 Commission's Operating and CIP Budgets and work programs, provided that the

1 Commission shall have advised the County Council of such revenue at the time the
2 revenue was being sought, whether by grant application or by other applicable special
3 funding application procedures. This section does not, in any way, affect the process for
4 legislative appropriation of tax revenue to the Commission.

5 SECTION 10. PARK ACQUISITION AND DEVELOPMENT. The Prince
6 George's County portion of the Maryland-National Capital Park and Planning
7 Commission Fiscal Year 2012 Capital Budget is hereby adopted and shall consist of all
8 previously approved park acquisition and development projects (as revised) with
9 appropriations in the budget year of the Maryland-National Capital Park and Planning
10 Commission Fiscal Years 2012-2017 Capital Improvement Program as such projects are
11 included in the adopted Prince George's County Fiscal Years 2012-2017 Capital
12 Improvement Program and the new projects listed in Appendix B, which is attached
13 hereto and incorporated herein.

14 SECTION 11. GUARANTEE OF PRINCIPAL AND INTEREST ON BONDS.
15 Pursuant to the provisions of Section 6-101(d) of Article 28, as amended, the payment of
16 the principal of and interest on any and all bonds sold by the Maryland-National Capital
17 Park and Planning Commission, the proceeds of which are to be used to finance any of
18 the projects adopted by Section 11, are hereby guaranteed by the County as provided in
19 Article 28. The guarantee shall be in the form described by Section 6-101(d), Article 28,
20 and shall be endorsed on the bonds on behalf of the County by the manual or facsimile
21 signature of the County Executive. The full faith and credit of the County is hereby
22 irrevocably pledged to the fulfillment of the guarantee of the payment of interest when
23 due and the principal on maturity and taxes will be levied in accordance with Sections 6-
24 102 and 6-106 of Article 28, as necessary. The County Executive and the Clerk of the
25 Council are hereby authorized to take all necessary actions to adopt and record their
26 facsimile signatures and to execute all documents required for the sale of the bonds.

27 SECTION 12. PROJECT CHARGES AND PROGRAM SUPPORT. Any revenue
28 from Maryland-National Capital Park and Planning Commission (M-NCPPC) funds used
29 for project charges or program support of County programs shall be based on quarterly
30 invoices submitted by the County to M-NCPPC or such other methods as the County and
31 M-NCPPC shall mutually agree upon.

1 SECTION 13. INFRASTRUCTURE IMPROVEMENT FUND. There is hereby
2 created an Infrastructure Improvement Fund in order to effect the renovation and repair
3 of park infrastructure throughout the County. Eight Million Dollars (\$8,000,000.00) of
4 Proposed PayGo funding from College Park Airport (EC030497) and Eighteen Million
5 Dollars (\$18,000,000.00) of Proposed PayGo funding from Historic Agricultural
6 Resources Preservation (EB000403) shall be transferred to the Infrastructure
7 Improvement Fund to support the projects listed in the attached Infrastructure
8 Improvement Fund Schedule, (Appendix C) subject to the limitations on expenditures set
9 forth in Section 2-118 (a)(7) of Article 28.

10 SECTION 14. SEVERABILITY. If the application of this Act or any section,
11 subsection, sentence, clause, phrase, or portion thereof, as it applies in any circumstances,
12 case or instance to any person, firm, or corporation, is for any reason found or held to be
13 invalid or unconstitutional by any Court of competent jurisdiction, such section,
14 subsection, sentence, clause, phrase, or portion and application thereof to such
15 circumstances, case or instance as to any person, firm or corporation, shall be deemed a
16 separate, distinct, and independent act, finding, or holding, and such act, finding or
17 holding shall not affect the validity and application of the remaining portions thereof or
18 the particular portion as it affects other persons, firms or corporations.
19

1 SECTION 15. EFFECTIVE DATE. This Act shall take effect July 1, 2011.
2 Adopted this 26th day of May, 2011.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ingrid M. Turner, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

Appendices A, B, and C are available in hard copy only and as an Inclusion File in LIS