

SENATE BILL 909

C8, M4

EMERGENCY BILL
ENROLLED BILL

(5lr3035)

— Finance/Economic Matters —

Introduced by **Senator Middleton**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Tri-County Council for Southern Maryland - ~~Powers - Property~~ Financing**
3 **~~Interests~~ Purchase or Lease of Property by Other Entities**

4 FOR the purpose of ~~authorizing the Tri-County Council for Southern Maryland to acquire,~~
5 ~~hold, lease, use, encumber, transfer, or dispose of property or any interest in~~
6 ~~property;~~ authorizing the Tri-County Council for Southern Maryland, in order to
7 accomplish certain purposes, to use certain money to finance the purchase or lease
8 property only by the one or more specified Southern Maryland Agricultural
9 Development Commission counties or, the Maryland Food Center Authority to
10 ~~accomplish certain purposes,~~ or another entity, as determined by the Council, that is
11 authorized to finance or purchase property; requiring the Council, under certain
12 circumstances and in accordance with certain provisions of law, to prepare and issue
13 a request for proposals, evaluate responses to the request, and select an entity to
14 purchase or lease property; prohibiting the Council from owning or leasing property
15 except a lease of office space for its own use; making this Act an emergency measure;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 and generally relating to the powers of the Tri-County Council for Southern
2 Maryland.

3 BY repealing and reenacting, without amendments,
4 Article – Economic Development
5 Section 13–601(a) and (c) and 13–612(b)
6 Annotated Code of Maryland
7 (2008 Volume and 2014 Supplement)

8 ~~BY repealing and reenacting, with amendments,~~
9 ~~Article – Economic Development~~
10 ~~Section 13–612(b)~~
11 ~~Annotated Code of Maryland~~
12 ~~(2008 Volume and 2014 Supplement)~~

13 BY adding to
14 Article – Economic Development
15 Section 13–612.1
16 Annotated Code of Maryland
17 (2008 Volume and 2014 Supplement)

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

20 **Article – Economic Development**

21 13–601.

22 (a) In this subtitle the following words have the meanings indicated.

23 (c) “Council” means the Tri-County Council for Southern Maryland.

24 13–612.

25 (b) The Council may:

26 (1) adopt a seal;

27 (2) sue;

28 (3) adopt bylaws and rules for the conduct of its business;

29 (4) enter into contracts and agreements;

30 (5) borrow money and accept advances, loans, grants, contributions, and
31 any other form of assistance from the federal government, the State, or other public or
32 private source;

1 (6) give any required security;

2 ~~(7) ACQUIRE, HOLD, LEASE, USE, ENCUMBER, TRANSFER, OR DISPOSE~~
 3 ~~OF PROPERTY OR ANY INTEREST IN PROPERTY;~~

4 ~~[(7)] (8)~~ include in any contract for financial assistance with the federal
 5 government any reasonable and appropriate condition imposed under federal law that is
 6 not inconsistent with the purposes of this subtitle; and

7 ~~[(8)] (9)~~ execute any instrument and act as necessary, convenient, or
 8 desirable to carry out its powers and the purposes of this subtitle.

9 **13-612.1.**

10 ~~To~~ **(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, IN**
 11 **ORDER TO ACCOMPLISH THE PURPOSES OF THIS SUBTITLE, THE COUNCIL MAY USE**
 12 **ANY MONEY AVAILABLE UNDER THIS SUBTITLE TO IT TO FINANCE THE PURCHASE**
 13 **OR LEASE OF PROPERTY ONLY BY:**

14 **(1) THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT**
 15 **COMMISSION ONE OR MORE OF THE FOLLOWING SOUTHERN MARYLAND COUNTIES:**

16 **(I) ANNE ARUNDEL COUNTY;**

17 **(II) CALVERT COUNTY;**

18 **(III) CHARLES COUNTY;**

19 **(IV) PRINCE GEORGE'S COUNTY; AND**

20 **(V) ST. MARY'S COUNTY; OR**

21 **(2) THE MARYLAND FOOD CENTER AUTHORITY; OR**

22 **(3) ANOTHER ENTITY, AS DETERMINED BY THE COUNCIL, THAT IS**
 23 **AUTHORIZED TO FINANCE OR PURCHASE PROPERTY.**

24 **(B) IF THE COUNCIL DETERMINES THAT MONEY SHOULD BE USED TO**
 25 **FINANCE THE PURCHASE OR LEASE OF PROPERTY UNDER SUBSECTION (A) OF THIS**
 26 **SECTION, THE COUNCIL, IN ACCORDANCE WITH STATE PROCUREMENT LAW, SHALL:**

27 **(1) PREPARE AND ISSUE A REQUEST FOR PROPOSALS;**

28 **(2) EVALUATE RESPONSES TO THE REQUEST; AND**

1 **(3) SELECT AN ENTITY TO PURCHASE OR LEASE PROPERTY.**

2 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
3 **THE COUNCIL MAY NOT OWN OR LEASE PROPERTY.**

4 **(2) THE COUNCIL MAY LEASE OFFICE SPACE FOR ITS OWN USE.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
6 measure, is necessary for the immediate preservation of the public health or safety, has
7 been passed by a yea and nay vote supported by three-fifths of all the members elected to
8 each of the two Houses of the General Assembly, and shall take effect from the date it is
9 enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.