

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 964 (Delegates Young and Addison)
Environment and Transportation

Baltimore City Soil Conservation District - Establishment - Requirements

This bill establishes provisions governing the establishment of a Baltimore City Soil Conservation District (SCD) pursuant to the authority provided under current law.

Fiscal Summary

State Effect: None. The bill is procedural in nature and does not materially affect State finances. The Secretary of State (SOS) can implement the bill with existing budgeted resources.

Local Effect: None. The bill is procedural in nature and does not materially affect Baltimore City finances.

Small Business Effect: None.

Analysis

Bill Summary:

Requirements for the Establishment of a Baltimore City Soil Conservation District

The Mayor of Baltimore City must (1) notify the State Soil Conservation Committee of the intent to establish an SCD; (2) appoint three supervisors to the governing body of the SCD, as specified (described below); and (3) submit to SOS a signed application to organize the SCD as a political subdivision of the State and a public body corporate. SOS must (1) examine, file, and record the application in the book for the recording of applications

for the organization of SCDs; (2) issue to the supervisors of the SCD, under seal of the State, a certificate of constitution of the SCD; and (3) record the certificate with the application.

Appointing Supervisors to the Baltimore City Soil Conservation District

The Baltimore City SCD's five supervisors must be appointed in the following manner: (1) three district residents by the mayor, subject to the city council's approval; (2) one by the Baltimore City Senate Delegation to the General Assembly; and (3) one by the Baltimore City House Delegation to the General Assembly. As required by current law, consideration must be given to representation from farming, forestry, wildlife, and urban interests where appropriate and each supervisor must be (1) interested and knowledgeable in the conservation of soil, water, and related natural resources and (2) qualified to perform the specialized skilled services required.

Appointing Supervisors to the State Soil Conservation Committee

The bill adds Baltimore City to one of five geographic areas from which the Secretary of Agriculture appoints SCD supervisors to serve on the State Soil Conservation Committee. (A total of five SCD supervisors are appointed to serve on the committee, based on recommendations submitted by the district supervisors of each area represented.) Baltimore City is added to Area No. 4, which includes the SCDs covering Baltimore, Cecil, Harford, Howard, and Montgomery counties.

Current Law: There are 24 SCDs in 23 counties (Frederick County contains 2 districts) established in statute and continued with boundaries corresponding to county boundaries, except for Frederick County, and include all land and water and incorporated areas. Chapter 621 of 2021 authorized a Baltimore City SCD to be established and continued with boundaries corresponding to the boundaries of Baltimore City.

The governing body of each district consists of five supervisors who must be (1) interested and knowledgeable in the conservation of soil, water, and related natural resources and (2) qualified to perform the specialized skilled services required. One of the supervisors is appointed by the county governing body and four are appointed by the State Soil Conservation Committee. Of the four supervisors appointed by the committee, one is appointed from a list of three district residents submitted by the county farm bureau, one is appointed from a list of three district residents submitted by the county extension service, and the remaining two are appointed from among residents of the district. Consideration must be given to representation from farming, forestry, wildlife, and urban interests where appropriate.

An SCD constitutes a political subdivision of the State and a public body corporate and politic, exercising public powers. The supervisors have various authority, including the authority to (1) conduct surveys, investigations, and research relating to the character of soil erosion and the preventive and control measures needed; (2) disseminate information concerning preventive and control measures; (3) conduct demonstration projects; (4) carry out preventive and control measures; (5) develop comprehensive plans for conserving soil resources and controlling and preventing soil erosion within the district; and (6) approve and disapprove sediment control plans for clearing, grading, transporting, or otherwise distributing soil pursuant to provisions of the Environment Article (SCDs are designated as approval authorities under those provisions).

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three sessions. See SB 601 of 2022.

Designated Cross File: SB 29 (Senator McCray) - Education, Energy, and the Environment.

Information Source(s): Baltimore City; Secretary of State; Maryland Department of Agriculture; Department of Budget and Management; Department of Legislative Services

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