

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 278

(Delegate Bozman, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Public Watershed Associations - Fees, Assessments, and Taxes on Land Owned
by a Unit of State or Local Government

This bill requires a unit of State or local government that owns land to pay any fee, assessment, or tax levied by a public watershed association if the fee, assessment, or tax is levied against all land that is similarly benefited or damaged by the proposed works of improvement within a public watershed association.

Fiscal Summary

State Effect: None. This bill codifies existing practice.

Local Effect: None. This bill codifies existing practice.

Small Business Effect: None.

Analysis

Current Law: All persons whose lands derive benefit from proposed public watershed associations must contribute to the cost and expense of constructing and improving ditches, drains, and other drainage works. The board of managers of a public watershed association must assess against persons benefiting from public drainage works a sum proportional to the benefit they receive.

Background: A public watershed association: (1) is a political entity with the authority to locate, establish, and construct ditches, drains, or canals; (2) is a special taxing district created by a local jurisdiction; and (3) manages drainage ditches and other land

improvements that control the flow of water. The State, counties, and local governments work with public watershed associations through local soil conservation districts.

There are four public watershed associations on the Eastern Shore with 12.1 total miles of drainage ditches. Three public watershed associations are in Worcester County and one public watershed association is in Wicomico County.

State and Local Fiscal Effect: The Maryland Department of Agriculture advises that the bill adds clarifying language and that State and local governments have been paying assessments for publicly owned property receiving the benefits of watershed improvements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Washington County, Worcester County, Department of Assessments and Taxation, Maryland Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2003
mam/hlb Revised - House Third Reader - March 20, 2003

Analysis by: Christopher J. Kelter

Direct Inquiries to:
(410) 946-5510
(301) 970-5510