

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 1369

(Delegate Vallario)

Environmental Matters

Judicial Proceedings

Transportation - Board of Property Review - Membership Qualifications

This bill alters the membership qualification criteria for county property review boards so that the farmer representative does not have to be engaged full time in an agricultural pursuit.

Fiscal Summary

State Effect: None. The bill is procedural in nature and would not affect State finances.

Local Effect: Minimal. The bill will allow part-time farmers to qualify for membership on a review board.

Small Business Effect: None.

Analysis

Current Law: Each board of property review has three members who are appointed for two-year terms by the judges of the circuit court for the county. Of the members of each board, one must be a lawyer, one must be a farmer engaged full time in some agricultural pursuit, and one must be an engineer or a person with an engineering background and knowledge. Each county has such a board.

The board hears “quick take” condemnation cases that are referred by the State Roads Commission when the commission is unable to acquire property for roads from land owners by negotiation. The board determines the total amount of the award to be paid by the commission and may determine the portion of an award for persons other than the fee

owner who have an interest in the property. Any party may appeal the board's findings to the circuit court, which must hear and determine the case *de novo*.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Washington County, Maryland Department of Transportation, Carroll County, Department of Legislative Services

Fiscal Note History: First Reader - March 17, 2004
n/mdr

Analysis by: Ann Marie Maloney

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