

SENATE BILL 251

J1, M3

8lr1530

By: **Senator Astle**

Introduced and read first time: January 24, 2008

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2008

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Well Drillers – Permit Fee**

3 FOR the purpose of requiring the Anne Arundel County Board of Health to set the
4 permit ~~fee fees~~ for well drillers so as to produce funds to ~~approximate the~~ reflect
5 the actual cost of certain services; establishing a certain limitation on the
6 amount of the fee charged for a well drilled to replace an existing well; and
7 generally relating to the well drillers permit fee in Anne Arundel County.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 9–1307
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2007 Supplement)

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

15 **Article – Environment**

16 9–1307.

17 (a) In applying for a permit to drill a well, the well driller shall give the
18 Department any information the Department requires.

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.



1 (b) As a condition to issuing a permit to drill a well, the Department may
 2 require that samples of the materials encountered in drilling the well be preserved
 3 and submitted to the Department.

4 (c) (1) (i) A county board of health may establish a permit fee to
 5 defray county expenses in inspecting wells, collecting water samples, and issuing
 6 certificates of potability.

7 (ii) For an interim certificate of potability, a county board of
 8 health shall accept initial test results prepared by a private State certified laboratory.

9 (2) (i) The fee may be charged before a permit required under §
 10 9–1306 of this subtitle is issued.

11 (ii) [The] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF**
 12 **THIS PARAGRAPH, THE** fee may not exceed \$160 per well or \$160 per cluster of wells
 13 to be used exclusively to transfer heat to or from the ground or groundwater.

14 (iii) **IN ANNE ARUNDEL COUNTY ONLY:**

15 **1. SUBJECT TO ITEM 2 OF THIS SUBPARAGRAPH,**
 16 **THE FEE CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO APPROXIMATE**
 17 **THE REFLECT THE ACTUAL COST OF INSPECTING WELLS, COLLECTING WATER**
 18 **SAMPLES, AND ISSUING CERTIFICATES OF POTABILITY BY THE ANNE ARUNDEL**
 19 **COUNTY BOARD OF HEALTH; AND**

20 **2. FOR A WELL DRILLED TO REPLACE AN EXISTING**
 21 **WELL THE FEE CHARGED SHALL BE NO MORE THAN 50% OF THE FEE AS**
 22 **CALCULATED UNDER ITEM 1 OF THIS SUBPARAGRAPH.**

23 (3) A permit shall be issued within a reasonable period of time after
 24 receipt of the application and shall be valid for a period of 12 months from the date of
 25 issuance by the approved delegated permitting authority.

26 (d) A county board of health may waive a fee for a well that is drilled to
 27 replace a well not in conformity with the regulations adopted under § 9–1305 of this
 28 subtitle.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 30 October 1, 2008.