

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 325

(Delegate Elmore)

Environmental Matters

Education, Health, and Environmental
Affairs

Somerset County - County Roads Board - Authority to Sell County Roads

This bill authorizes the Somerset County Roads Board to sell any county road without a public sale when it is no longer needed for public use. The county roads board may arrange for the terms, conditions, and amount of consideration, if any, for the sale and may execute and acknowledge any deeds or instruments necessary to complete any sale.

Fiscal Summary

State Effect: None.

Local Effect: Potential revenue impact on Somerset County. Local highway maintenance expenditures may decrease minimally.

Small Business Effect: None.

Analysis

Current Law: With certain exceptions, the county commissioners of every county may sell at public sale any property when no longer needed for public use. In Somerset County, the county commissioners may sell any interest in surplus property held by the county by acceptance of sealed bids solicited by advertisement. If the highest bid fails to yield a reasonable price for the property, the county commissioners can reject all bids. If all bids are rejected, the county commissioners may proceed to sell the property by re-advertising for sealed bids or through public auction.

In a number of counties, including Somerset, the county commissioners may negotiate the sale of real property owned by the county school board with any governmental body or agency in the county if the property is deemed no longer needed. The sale can be completed without advertising after three independent appraisals have been obtained.

The Commissioners of Somerset County have been authorized to sell certain properties under terms deemed appropriate by the county commissioners, without public sale. Chapter 313 of 2007 authorized the sale of a property known as Wittington Elementary School to Shore Up Inc. Chapter 386 of 2007 authorized the county to sell four properties to the City of Crisfield.

Background: The Somerset County Commissioners, *ex officio*, constitutes the county roads board.

Local Fiscal Effect: The Somerset County Roads Board would be able to negotiate the private sale of county property, which may result in properties being sold below fair market appraisal. To the extent that roads are sold, revenues would increase and maintenance expenditures on those roadways would decrease. Also, a reduction in a county's road mileage may affect the county's share of highway user revenues received from the State.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Somerset County, Department of Legislative Services

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mll/hlb

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