

authorizing certain associations to establish certain land classifications as a basis for certain assessments; and generally relating to public drainage associations.

BY repealing and reenacting, with amendments,

Article 25 – County Commissioners

Section 73(a), 82, and 96

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)

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

Article 25 – County Commissioners

73.

(a) All [persons] PERSONS, INCLUDING THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, whose lands will derive benefit from the proposed improvements shall contribute to the cost and expense of making the same; and the said board of drainage viewers shall adjudge thereof, and shall assess against such persons respectively a sum proportional to the benefits accruing to their lands. The sums so assessed shall be sufficient, less such amounts as may be received from the county commissioners or from any other source, to cover the costs of constructing or improving such ditches or drains or other drainage works, the payment of damages awarded (if any), the payment of compensations for adopted improvements previously constructed (if any), the expenses of the board of drainage viewers, and the costs of forming the drainage organization.

82.

(a) At the request of the board of managers of a drainage association, the board of county commissioners shall appoint a board of viewers to determine if the original determination as to which lands have benefited from the improvements has changed.

(b) The board of viewers shall have the same qualifications, rights, powers, privileges, and duties as the original board of viewers.

(c) (1) The board of viewers shall report its findings to the board of county commissioners.

(2) The report shall be considered in the same manner as the original report, including the same right to a public hearing and the right to judicial review.

(d) Any revision in the original determination as to which [lands] LANDS, BOTH PUBLIC AND PRIVATE, benefit from the improvements shall become the basis for all future assessments for paying for the improvements, including related expenses such as damages, and the maintenance of the improvements.

(e) Notwithstanding the requirements of this section, the board of managers of a drainage association, at any time after the creation of a drainage association, may