

Part D

Local Government

Local Government – Generally

Deposits of Unexpended or Surplus Money

Senate Bill 774/House Bill 1319 (both passed) authorize local governments to participate in a banking service called the Certificate of Deposit Account Registry Service. Essentially, the bills authorize local governments to deposit public funds in any federally insured bank or savings and loan in excess of the \$100,000 Federal Deposit Insurance Corporation insurance limit without the financial institution pledging collateral to secure the deposits under certain circumstances. This service, in essence, breaks up a customer's large deposit balances into smaller amounts of less than \$100,000 and places those deposits at other banks within its network. The network can insure up to \$10 million of a single customer's deposit. Advantages for a customer include maintaining one banking relationship, getting one interest rate at certificate of deposit level which can be higher than other collateral alternatives, and receiving one consolidated bank statement.

The bills define a "local government" to mean a county or municipal corporation; a county board of education; a road, drainage, improvement, construction, or soil conservation district; the Upper Potomac River Commission; or any other political subdivision or body politic of the State.

Counties – Generally

Western Maryland Code Counties (Allegany County) – Junkyards, Dumps, and Other Facilities – Abatement of Violations

House Bill 471 (Ch. 53) authorizes the county commissioners of a code county in the Western Maryland class to abate, or contract for the abatement of, a violation of rules or regulations regarding junkyards at the expense of the owner of the real property where the violation occurred.

Allegany County is the only county in Western Maryland that has adopted code home rule under Article XI-F of the Maryland Constitution.

Allegany, Anne Arundel, Garrett, and Washington Counties – Sound Level Limits and Noise Control – Shooting Sports Clubs

Senate Bill 685/House Bill 756 (both passed) prohibit Allegany, Anne Arundel, Garrett, and Washington counties, or political subdivisions in those counties, from adopting sound level limits or noise control ordinances, rules, or regulations that prohibit trapshooting, skeetshooting, or other target shooting between 9 a.m. and 10 p.m. by a shooting sports club that is chartered and in operation as of January 1, 2005. The bill establishes specified exceptions to those prohibitions.

A more detailed discussion of this bill can be found under Part K – Natural Resources, Environment, and Agriculture of this *90 Day Report*.

Public Local Laws

Each session, the General Assembly considers a number of bills each affecting only one county. The following discussion is intended to provide a sampling of bills of that nature that passed.

Allegany County

Alcoholic Beverages – License Expiration

Senate Bill 575/House Bill 892 (both passed) require that, in Allegany County, an alcoholic beverages license expires 180 days after the license holder either closes the business or ceases active alcoholic beverage business operations (whichever is earlier), unless (1) the license holder has an approved or pending application to have the license transferred; (2) the license holder has died and the executor of the estate has an approved or pending application for permission to continue the business for the benefit of the estate; or (3) the license holder has submitted a request for hardship extension within certain procedural guidelines. If an extension of the life of a license due to undue hardship has been granted, the license holder has 360 days to resume alcoholic beverage business operations.

Anne Arundel County

Pretrial Release, Work Release, and Related Programs – Eligibility and Fees

Senate Bill 500/House Bill 553 (both passed) authorize the Administrator of the Anne Arundel County Department of Detention Facilities to establish a pretrial release program that offers alternatives to pretrial detention and to adopt regulations for the implementation of the program. A court is authorized to order an individual to participate in the program if appearing before the court charged with a crime and detained on bond. These bills also provide that if the

administrator establishes and operates a community service program, a reasonable participation fee may be charged to each individual participating in the program.

Fire and Explosive Investigators – Authority

Senate Bill 144/House Bill 224 (both passed) define an Anne Arundel County or Annapolis fire and explosive investigator as a “law enforcement official” authorized to carry a handgun and provide that they have the same authority as the State Fire Marshal and assistants. This includes the authority to make an arrest without a warrant under certain circumstances. These bills also provide that the Anne Arundel County or Annapolis Fire Chief may limit, in writing, the authority granted to an investigator under these bills.

Baltimore City

Illegal Dumping – Surveillance Systems

Senate Bill 312/House Bill 111 (both passed) authorize the Baltimore City Department of Public Works to install surveillance systems at State and city owned “dumping sites” that have been repeatedly used for illegal litter disposal and use surveillance images to enforce the State litter control law or a local law or ordinance relating to the unlawful disposal of litter. No later than two weeks after an alleged violation, the Department of Public Works is required to mail a citation to the registered owner of a vehicle captured on the surveillance system violating the State litter control law or local litter laws. The department may mail a warning notice instead of a citation. A person who receives a citation may pay the civil penalty directly to the city or elect to stand trial in the District Court.

Redemption of Ground Rents – Abandoned or Distressed Property

Senate Bill 322 (Ch. 18) provides that when Baltimore City condemns abandoned or distressed property that is subject to a redeemable ground rent, the city becomes the tenant of the ground rent. The bill authorizes the city, as the tenant of a redeemable ground rent, to redeem a redeemable ground rent on abandoned or distressed property that was acquired or is being acquired by the city through condemnation by following the same process provided for extinguishing an irredeemable ground rent. For a more detailed discussion of this issue, see the subpart “Real Property” within Part F – Courts and Civil Proceedings of this *90 Day Report*.

General Powers – Special Tax Districts

Senate Bill 765/House Bill 954 (both passed) add buildings that are abandoned property or distressed property, or buildings that provide units of affordable housing, to the list of infrastructure improvements for which bonds may be issued, ad valorem or special taxes may be levied, and special taxing districts may be created for the financing and repayment of the design, construction, establishment, extension, alteration, or acquisition of the infrastructure improvements.

Abandoned property is defined as (1) an unoccupied structure or vacant lot on which taxes are in arrears for at least two years; (2) an unoccupied building that is unfit for habitation and which the owner has been issued a violation notice from the city to either rehabilitate the

property or demolish it; (3) a vacant lot on which a building has been demolished; or (4) any building in a block of row houses where 70 percent of the block contains abandoned property and is determined by the city to require a whole block remedy. Distressed property is defined as a parcel of real property subject to a tax lien to value ratio equal to or greater than 15 percent and (1) contains a structure that has deteriorated and constitutes a menace, and is subject to an expired violation notice to rehabilitate the property or (2) is subject to a lien greater than \$1,000 for work done by the Baltimore City Department of Housing and Community Development. Affordable housing is defined as housing that is affordable to households with incomes up to 115 percent of the regional median income.

Tax Sales for Nonpayment of Environmental Citations – Prohibition

Senate Bill 679 (passed) prohibits real property in Baltimore City from being sold at a tax sale solely for nonpayment of an environmental citation. The bill does not prohibit Baltimore City from placing a lien on property for unpaid environmental citations; however, the city is prohibited from selling property to satisfy such a lien at a tax sale.

Baltimore County

Alcoholic Beverages Licenses – Transfers and Applications

Senate Bill 570/House Bill 894 (passed) are emergency measures that provide that two licenses may be transferred to the Quarry at Greenspring on or after April 1, 2005, three to the State-owned land adjacent to the Owings Mills Metro Station (Metro Center at Owings Mills) on or after October 1, 2005, and three to the Promenade at Catonsville on or after April 1, 2006. An alcoholic beverages license issued under this authority may only be used in conjunction with the operation of a restaurant in which 70 percent of the average daily receipts are from food, and in which no more than 25 percent of the total seating capacity is in an area devoted solely to the consumption of alcohol. Alcoholic beverages may only be sold until 1:30 a.m. Additionally, the license cannot be transferred to a new location outside of the geographic area for which it was originally issued, nor may it be converted into another class of license. The ownership of the license, however, may be transferred. Baltimore County advises that the Quarry at Greenspring, the Metro Center at Owings Mills, and the Promenade at Catonsville are all up-scale commercial developments in which restaurants will be located. The county further advises that, due to the population limitation quotas regarding the issuance of new licenses, these restaurants would not be able to otherwise obtain alcoholic beverages licenses.

Calvert County

Power to Adopt an Animal Control Ordinance

House Bill 1014 (Ch. 83) authorizes the Calvert County Commissioners to provide, by ordinance, for the regulation, humane treatment, and keeping of domestic animals within the county, including the authority to assess penalties of up to a \$1,000 fine, 30 days in the county jail, or both.

Caroline County

Treasurer – Salary

Senate Bill 592/House Bill 175 (both passed) increase the annual salary of the Caroline County Treasurer from \$45,000 to \$55,000 beginning with the next term of office that begins in July 2007.

Sheriff – Salary

Senate Bill 593/House Bill 174 (both passed) increase the salary of the Caroline County Sheriff from \$55,000 to \$65,000 beginning with the next term of office that begins in November 2006.

Carroll County

Highways – Prohibition on Use for Solicitation

Except for the occupant of a disabled vehicle who seeks the aid of another vehicle, in Maryland, a person may not stand in a roadway to solicit a ride, employment, or business from an occupant of any vehicle. Further, a person is prohibited from standing on or near a highway to solicit any other person to guard any vehicle while it is parked or about to be parked on the highway.

Many of the counties in Maryland have adopted laws specific to their jurisdictions. For example, in Anne Arundel County, a person is prohibited from standing in a roadway, median divider, or intersection to solicit donations from occupants of vehicles, or cause another to do so without a license from Anne Arundel County. In Charles, Frederick, Harford, and Washington counties, a person may not stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle. An identical ban applies to a child younger than 15 in Prince George's County.

House Bill 1429 (Ch. 93) adds Carroll County to the provision concerning Charles, Frederick, Harford, and Washington counties.

Cecil County

Treasurer – Salary

Senate Bill 862/House Bill 967 (both passed) increase the salary of the Cecil County Treasurer from \$60,000 to \$66,250 for calendar 2007, and by \$6,250 each year beginning in calendar 2008 until the salary reaches \$85,000 in calendar 2010.

Dog and Kennel Licenses

Senate Bill 450/House Bill 852 (both passed) authorize the County Commissioners of Cecil County to determine the fees, terms, and forms for dog and kennel licenses in Cecil County.

Charles County

New School Capacity Construction Bonds – Limitation

With the aid of local school systems, the Public School Construction Program and the Maryland State Department of Education conducted a comprehensive survey of public school facilities for the Task Force to Study Public School Facilities. The survey identified \$178.4 million in school renovation and construction needs in Charles County, 87 percent of which (\$154.1 million) was related to school capacity needs.

To help address this need, *Senate Bill 886/House Bill 1506 (both passed)* repeal the \$100 million limit on 10-year new school capacity construction bonds that Charles County may issue. The funds generated by the bonds must be used to provide additional school capacity.

Dorchester County

Personal Property Tax – Exemption

House Bill 585 (passed) authorizes the governing body of Dorchester County to reduce the percent of the assessment of personal property, other than operating personal property, of a public utility. If enacted by the county, the exemption must be phased out over a 10-year period, beginning after enactment. Finally, the bill repeals a provision of law authorizing Dorchester County to grant a property tax credit against the county property tax imposed on personal property.

Frederick County

Human Relations Department – Investigation of Discriminatory Conduct

The Frederick County Human Relations Department advises that based on a February 2005 survey of nonprofit service providers in the county, there could be a significant number of individuals with potential complaints of discrimination based on “familial status” and source of income. Six out of 12 organizations that responded to the survey reported a total of 127 clients that allege prior instances of discrimination on these two bases.

In light of these discoveries, *House Bill 558 (passed)* requires the Frederick County Human Relations Department to investigate complaints alleging discrimination as to familial status in housing and employment, and complaints alleging discrimination as to source of income in housing. The bill defines “familial status” as, with reference to one or more individuals under the age of 18, being domiciled with the individual and being a parent, a legal guardian, or the designee of a parent or legal guardian with written permission. Familial status includes the status of being pregnant or an individual who is in the process of obtaining legal custody of a minor under the age of 18. “Source of income” is any lawful, verifiable source of money paid directly or indirectly to a renter or buyer of housing including any income received through lawful possession or occupation, the condition of being a recipient of government assistance or rent supplements, and any gift, inheritance, pension, annuity, alimony, child support, trust of investment accounts, or other consideration, or any sale or pledge of property.

Fire and Rescue Services – Collective Bargaining

Senate Bill 789/House Bill 825 (both passed) authorize the County Commissioners of Frederick County to enact an ordinance allowing voluntary collective bargaining over wages and benefits between the board of county commissioners and the employee organization recognized by the board to be the exclusive representative of its regular, nonexempt, uniformed fire and rescue services employees. Once authorized by a local ordinance, collective bargaining may include a memorandum of understanding (MOU) between the board and the exclusive representative regarding wages and benefits, which binds the board for the period of time stated in the MOU. This bill does not permit an employee to engage in a strike, require collective bargaining in any form, or require a specific method or means of collective bargaining; nor does the bill authorize binding interest arbitration.

Garrett County

Fees for Discontinuing and Restoring Water Service

Senate Bill 378 (passed) authorizes the County Commissioners of Garrett County to adopt, amend, and enforce a reasonable charge for discontinuing and restoring water service, subject to the regulations of the Public Service Commission.

Correctional Services – Alternative Sentencing Options

House Bill 584 (Ch. 58) authorizes the County Commissioners of Garrett County and the Sheriff of Garrett County to establish and administer a home detention program and provide for other alternative sentencing options. Garrett County advises that, under this bill, a county home detention program would be instituted in fiscal 2006.

Special Event Permit

House Bill 468 (Ch. 52) repeals provisions of law concerning amusement licenses and authorizes the County Commissioners of Garrett County to require a person who seeks to hold a special event in the county to obtain a special event permit from the County Commissioners. The bill defines a special event as a gathering that is open to the public, is expected to have an attendance of at least 250 individuals, is not held on a regular basis, and includes the sale of food or beverage for public consumption. Garrett County advises that it has not issued amusement licenses in over 20 years. The county estimates, however, that they will issue approximately 20 to 30 special event licenses as a result of this bill.

Harford County

Alcoholic Beverages – License Fees

House Bill 901 (Ch. 70) increases alcoholic beverages license fees in Harford County and authorizes the Harford County Liquor Control Board to issue Class C-1, 2, and 3 beer and light wine licenses as well as Class C-1, 2, and 3 beer, wine, and liquor licenses.

A Class C-1 beer and light wine license may only be issued to a nonprofit organization that is organized for patriotic or war veterans' purposes. A Class C-2 beer and light wine license may be issued to a nonprofit organization organized for fraternal purposes. A Class C-3 beer and light wine license may be issued to a nonprofit organization organized for social, educational, or athletic purposes. To qualify for any of these three licenses, an organization must have held regular meetings at an established headquarters for one year prior to applying for the license, as well as meet other specific requirements.

Admissions and Amusement Tax – Exemptions

Senate Bill 647/House Bill 289 (both passed) exempt activities related to agricultural tourism and roller skating rinks from the Harford County admissions and amusement tax.

Agricultural tourism refers to the act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. There is one roller skating rink in Harford County.

Howard County

Revenue Authority

House Bill 1546 (Ch. 95) authorizes Howard County to establish, through local legislation, the Howard County Revenue Authority for the financing or operating of cultural, recreational (excluding golf courses), and parking facilities. The authority shall be managed by a board of directors which shall have no more than seven voting members appointed by the county executive with the approval of the county council. The authority shall send an annual financial report to the county executive, the county council, and the county delegation to the General Assembly.

The Howard County Executive, with the approval of the county council, is authorized to transfer the county's title to any lands, streets, alleys, buildings, facilities, or other public places to the revenue authority, provided the revenue authority pays the county the reasonable value of the property transferred. Of the property it acquires, the revenue authority is authorized to pledge, mortgage, encumber, sell, lease, transfer, or convey any interest in it to the county or to any person. In the event of the dissolution of the revenue authority, however, the title to all property financed by the proceeds of bonds, notes, or other evidences of indebtedness issued by the authority reverts to the county.

Kent County

Alcoholic Beverages – Fines

House Bill 581 (passed) increases the maximum fine that may be imposed by the Kent County Board of License Commissioners for a violation of any provision of the alcoholic beverage laws that pertain to the county. For the first offense, the maximum fine increases from

\$500 to \$1,000; for the second offense, the maximum fine increases from \$1,000 to \$2,000; and for the third or subsequent offense, the fine increases from \$2,000 to \$2,500.

Sanitary Commission

In May 2000, the Kent County Board of County Commissioners abolished the Kent County Sanitary Commission and established a Department of Water and Wastewater Services under the control of the Kent County Board of County Commissioners.

Accordingly, *House Bill 580 (Ch. 57)* repeals provisions of law that relate to the Kent County Sanitary Commission, and requires the books, records, and minutes of the Kent County Sanitary Commission be transferred to the Kent County Administrator.

Montgomery County

Vehicle Laws – Speed Monitoring Systems

Unless a police officer issues a citation, *House Bill 443 (passed)* authorizes county and municipal police officers in Montgomery County to issue citations to drivers for speeding based on recorded images collected by automated speed monitoring systems. A “speed monitoring system” is a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at least 10 miles per hour above the posted speed limit.

The bill applies to speeding violations that occur (1) on a highway in a residential district with a maximum posted speed limit of 35 miles per hour or (2) in an established school zone. The bill establishes a maximum civil penalty of \$40. A person who receives a citation by mail may pay the specified civil penalty directly to the Montgomery County Department of Finance, or elect to stand trial in District Court. A warning notice may be issued instead of a citation.

Prince George’s County

Public Safety Surcharge

House Bill 1129 (passed) authorizes the Prince George’s County Council to impose a public safety surcharge on new residential construction for which a preliminary plan has been approved by the county council on or after July 1, 2005. The surcharge amount is \$6,000 for developments outside the developed tier and \$2,000 for developments inside the developed tier starting in fiscal 2006. Revenue collected shall be distributed to police, fire, and emergency medical service in the county; at least 12 percent of revenue collected in a municipal corporation that maintains a police department shall be distributed to that police department.

Queen Anne’s County

Board of Trustees of Chesapeake College – Terms, Term Limits, Extensions, and Appointments

Chesapeake College is located in Wye Mills, Maryland and is the local community college for Caroline, Kent, Queen Anne’s, Talbot, and Dorchester counties.

Senate Bill 572 (passed) extends to five years the terms of members of the Board of Trustees of Chesapeake College and provides for staggered terms among the 10 members of the board. The bill specifies that a member who is appointed to begin a full term on or after July 1, 2006 may not serve more than three five-year terms. A term that begins prior to July 1, 2006 does not count towards the term limitations. At the end of a term, a member continues to serve until a successor is appointed and qualifies.

St. Mary's County

St. Mary's County Metropolitan Commission – Treasurer and Deputy Treasurers – Surety Bonds

House Bill 338 (Ch. 45) removes specific language in the law that must be included in the surety bond given by the St. Mary's County Metropolitan Commission (MetCom) Treasurer and deputy treasurers, and substitutes a broader requirement concerning the type of language that should be included in the surety bond, provided that the language is approved by the Maryland Insurance Administration and St. Mary's County Attorney.

The St. Mary's County Metropolitan Commission is responsible for maintaining the sanitary districts in St. Mary's County. Without the specific language from the county code in the bond document for the MetCom treasurer, the treasurer would not be able to become fully bonded and sworn in by the clerk of the circuit court. The Maryland Insurance Administration, however, has prescribed standard language that appears in all bond documents. Consequently, there was a problem securing a bond for the most recently appointed MetCom treasurer. This bill seeks to avoid similar problems in the future.

Somerset County

Fire Companies – Appropriations

House Bill 840 (Ch. 66) increases the amount of funds that the Somerset County Commissioners are required to appropriate annually to the volunteer fire companies in Somerset County for fiscal 2006 through 2010. The required appropriation for fiscal 2010 would remain in effect for subsequent years unless altered by future legislation.

Talbot County

Board of Education – Election of Members

The Talbot County Board of Education is currently 1 of 9 appointed school boards in the State. Another 13 local boards of education are elected, and 2, the Cecil and Dorchester county boards, are in the process of transitioning from appointed boards to elected boards.

Senate Bill 573/House Bill 119 (both passed) alters the selection process for the Talbot County Board of Education from appointment to election. The bill provides that the elected Talbot County Board of Education will consist of seven voting members, with one member elected from each of seven election districts established in the bill, plus one nonvoting student

member. Elected members serve staggered four-year terms and may not serve more than three consecutive terms. The Governor appoints new members to fill vacancies on the board. Four new members will be elected at the 2006 general election, and three new members will be elected at the 2008 general election. At the beginning of each calendar year, the county board must select a president and a vice president from among its members. Voting members receive compensation as set by the county council, although voting members must receive at least \$3,200 and the president of the board must receive at least \$3,600. The county board must meet at least once a month and must make records of the meetings available to the public.

Washington County

Washington County Animal Control Ordinance – Violations

House Bill 905 (Ch. 71) enhances the penalty provisions for a violation of the animal control ordinances in Washington County. The bill authorizes an animal control officer to deliver a citation to the person believed to be committing a violation. In addition, the bill provides that a violation of the Washington County animal control ordinance is a misdemeanor, and a violator is subject to a fine of up to \$1,000, imprisonment for up to 30 days, or both for each offense.

Alarm Systems

In 2004, the Washington County Sheriff's Department responded to 3,008 alarm activations – only 8 were valid calls.

House Bill 906 (Ch. 72) authorizes the Washington County Commissioners to adopt regulations registering alarm system contractors operating in the county, registering alarm users in the county, providing penalties for alarm contractors and users who fail to register with the county, providing civil citations and penalties for false alarms, and providing exemptions from civil citations and penalties for false alarms. The regulations also may authorize the designated county enforcement agency to maintain a record of the alarm system contractor, monitoring service, and manufacturer of each security system operating in the county, and inform the manufacturer or installer of the alarm system and the appropriate State or national licensing agency or the certification standards entity if the agency finds a pattern of false alarms attributed to a particular model or installation by a particular contractor. Lastly, the regulations may establish fees for registering an alarm system contractor or user.

Town of Boonsboro – Urban Renewal Authority for Slum Clearance

House Bill 907 (Ch. 73) authorizes the Town of Boonsboro to undertake urban renewal projects for slum clearance by exercising the power of eminent domain to acquire properties in blighted areas. The bill also (1) requires the Town of Boonsboro to provide just compensation for properties taken; (2) requires that the power of eminent domain be used for public uses and purposes; and (3) allows for taxation, expenditures of public funds, and extension of public credit to meet urban renewal goals.

The town advises that this authority would be an invaluable tool that they would be able to use to ensure compliance with the revitalization plan for the downtown area. To date, over 65 municipal corporations have been given this authority under the Constitution of Maryland by the General Assembly. Once a municipal corporation has the constitutional authority, it may exercise similar powers under Article 23A of the Annotated Code of Maryland.

Wicomico County

Alcoholic Beverages – Wine Tasting and Sampling

Senate Bill 571/House Bill 161 (both passed) authorize the Wicomico County Liquor Control Board to conduct wine tasting and sampling promotional events in county liquor dispensaries, under specified circumstances.

In general, most Maryland jurisdictions permit the sale of alcoholic beverages through a three-tier system in which retail alcoholic beverage licensees purchase alcoholic beverages from licensed Maryland wholesalers who purchase alcoholic beverages from licensed manufacturers and import companies. In Montgomery, Somerset, Wicomico, and Worcester counties, however, the counties operate dispensary systems through which they act as the wholesalers for retail alcoholic beverage licensees in their respective districts. In fiscal 2004, the Wicomico County Liquor Control Board operated two stores with net profits of \$384,989. The county advises that it has begun selling high-end wine in its dispensaries and would use the wine tasting and sampling events to showcase these wines.

Worcester County

Liquor Control Board – Borrowing Limit

House Bill 91 (Ch. 27) raises the aggregate amount of funds that may be borrowed by the Worcester County Liquor Control Board from \$3 to \$5 million.

In 2003, the Worcester County Liquor Control Board moved into a new office building with a larger warehouse capacity. The extra room allows the board to purchase more bulk inventory from suppliers. The county advises that increasing the limit of aggregate funds that may be borrowed by the county liquor control board will allow the county to take advantage of bulk purchases directly from alcoholic beverage suppliers at discount prices. Worcester County advises that the maximum amount the liquor control board has borrowed is \$1.8 million, and the current debt is \$899,000.

Municipal Governments

Regulation of Nudity and Sexual Displays

Senate Bill 224/House Bill 446 (both passed) authorize the legislative body of each municipal corporation to adopt ordinances for licensing, control, location, or maintenance of a business that allows on its premises activities involving nudity and sexual displays that are

prohibited under the alcoholic beverages laws. A violator is guilty of a misdemeanor and subject to a fine of at least \$500 and imprisonment for up to six months. Each day the ordinance is violated is a separate offense.

Urban Renewal Authority for Slum Clearance

In accordance with the provisions of Article III, § 61 of the Constitution of Maryland, the Town of Boonsboro in Washington County received urban renewal authority for slum clearance under *House Bill 907 (passed)*. The bill adds the urban renewal authority to the charter of the Town of Boonsboro to allow urban renewal projects, the creation of an urban renewal agency, approval of an urban renewal plan, disposal and condemnation of property in an urban renewal area, and the issuance of general obligation and revenue bonds. With the passage of this bill, 63 out of 156 municipal corporations have urban renewal powers under the Constitution.

Special Taxing Districts

Municipal Corporations – Special Taxing Districts – Public Safety

Municipal corporations have authority to create special taxing districts to finance infrastructure improvements such as storm drainage systems, public parking facilities, or pedestrian malls and improvement and maintenance of street and area lighting. With the passage of *Senate Bill 2/House Bill 272 (both passed)*, municipal corporations are authorized to create special taxing districts within their corporate limits for the purpose of financing capital and operating costs to enhance police, fire protection, and rescue services.

Baltimore City – General Powers – Special Taxing Districts

Senate Bill 765/House Bill 954 (both passed) add buildings in Baltimore City that are abandoned property or distressed property, or buildings that provide units of affordable housing to the list of infrastructure improvements, for which bonds may be issued, taxes may be levied, and proceeds from special taxing districts in the city may be used for the financing and repayment of the design, construction, establishment, extension, alteration, or acquisition.

Bi-County Agencies

Washington Suburban Sanitary Commission

The Washington Suburban Sanitary Commission (WSSC) is among the 10 largest water and sewer utilities in the country, providing water and sewer services to 1.6 million residents in Montgomery and Prince George's counties. It has a total budget of \$691 million in fiscal 2005, has 420,000 customer accounts, serves an area of around 1,000 square miles, and currently employs more than 1,500 people. This agency operates four reservoirs, two water filtration plants, and six wastewater treatment plants.

Sewer Usage Charges

House Bill 1057 (passed) authorizes a commercial, industrial, or multiresidential property to use a separate metered connection, on the condition that the owner, tenant, or occupant of the property requests to be billed by a formula determined by WSSC. This formula will credit the owner, tenant, or occupant for separately metered water not entering the sewerage system. For those properties that are not charged sewer usage charges based on this formula, sewer usage charges will be based on the total amount of water used less the amount of the separately metered water. For those properties that are charged based on this formula, sewer usage charges will be based on the total amount of water used less the amount of separately metered water, as well as the amount of separately metered water as adjusted by the formula.

Minority Business Enterprise Programs – Sunset Extension

House Bill 606 (passed) extends the termination date of the WSSC Minority Business Enterprise (MBE) Program from July 1, 2005 to July 1, 2006.

Commissioners and General Manager – Duties and Removal Procedures

House Bill 603 (failed) would have aligned the provisions for removal of WSSC commissioners between Montgomery and Prince George's counties. In both counties, under the bill, either the County Executive or the County Council could initiate a removal, subject to approval of a majority of the County Council if the County Executive initiates removal and subject to a veto, without override, by the County Executive. The bill would have also required that an orientation program for new commissioners be provided. With respect to the duties of the general manager of WSSC, the bill would have given the general manager input into the commission's meeting agendas and specified that the general manager was to serve as the chief executive officer of the commission and be responsible for its daily operation. Finally, the bill would have made the general manager accountable to the commissioners and would have required a two-thirds vote of the commissioners from each of the two counties to remove the general manager.