

Introduced 3/7/16
Public Hearing N/A
Council Action 3/7/16
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 3

Bill No. 21-2016

Introduced by: Greg Fox

AN ACT requiring that bills for the Watershed Protection and Restoration Fee include a statement explaining why the fee continues to be imposed rather than why the fee used to be imposed; requiring that the statement identify the County Council members that voted against repealing the fee or whose votes or actions prevented the repeal of the fee, under certain circumstances; requiring that the statement name the County Executive instead if the Executive vetoed a bill to repeal the fee, under certain circumstances; and generally relating to billing for the Watershed Protection and Restoration Fee.

Introduced and read first time March 7, 2016. ~~Ordered posted and hearing scheduled:~~ and rejected upon introduction.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2016.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2016 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2016 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2016

Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, in 2013 there was a requirement for a Watershed Protection and Restoration
2 Fee mandated by State Law, and

3 **WHEREAS**, based on that mandate, the County Council believed that Howard County real
4 property tax bill should specifically point out that imposition; and

5 **WHEREAS**, Council members Courtney Watson and Calvin Ball filed an amendment
6 (Amendment 3 to CB 38-2013) to that effect to place a statement to that effect on the property tax
7 bill as part of the passage of CB 38-2013 that established the Watershed Protection and Restoration
8 Fee; and

9 **WHEREAS**, the Council vote was four (4) in favor (Ball, Fox, Sigaty and Watson) and one
10 (1) opposed (Terrasa) to pass the amendment; and

11 **WHEREAS**, during the 2015 Maryland General Assembly the mandate for the Watershed
12 Protection and Restoration Fee was removed; and

13 **WHEREAS**, the decision to not repeal the Watershed Protection and Restoration Fee was a
14 result of the Howard County Council's actions related to CB 52-2015; and

15 **WHEREAS**, those proudly deciding to maintain the Howard County Watershed Protection
16 and Restoration Fee should have the honor of their names prominently listed as a footnote on the
17 Howard County real property tax bill as the ones causing that imposition.

18
19 **NOW, THEREFORE,**

20
21 *Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard*
22 *County Code is amended as follows:*

23 *By renumbering:*

24 *Title 20. Taxes, Charges and Fees*

25 *Subtitle 11. Watershed Protection and Restoration*

26 *Section 20.1107. Billing; Method of Collection; Interest and Penalties*

27 *Subsections (b), (c), and (d) to be subsections (d), (e), and (f), respectively.*

1
2 *By amending:*

3 *Title 20. Taxes, Charges and Fees*

4 *Subtitle 11. Watershed Protection and Restoration*

5 *Section 20.1107. Billing; Method of Collection; Interest and Penalties*

6 *Subsection (a)*

7
8 **Title 20. Taxes, Charges and Fees**

9 **Subtitle 11. Watershed Protection and Restoration**

10
11 **Sec. 20.1107. - Billing; method of collection; interest and penalties.**

12 (a) *Billing Procedure.* The Department of Finance may include the Watershed Protection and
13 Restoration Fee as a separate item on the real property tax bill for each property subject
14 to the fee.

15 (b) The real property tax bill shall, IF APPLICABLE, include a footnote on each bill that
16 indicates that the imposition of a stormwater remediation fee [[is mandated by state law]]
17 CONTINUES DUE TO THE FAILURE OF THE COUNTY COUNCIL TO PASS A BILL FOR SIGNATURE
18 BY THE COUNTY EXECUTIVE FOR APPROVAL THAT WOULD REPEAL THE FEE DESPITE THE
19 STATE MANDATE FOR THE FEE HAVING BEEN REMOVED, AND LISTING THE NAMES OF THE
20 COUNCIL MEMBERS THAT: 1) VOTED AGAINST REPEALING THE FEE, 2) VOTED FOR
21 AMENDMENTS THAT IN EFFECT RESULT IN THE FEE INCREASING IN ANY WAY OR
22 CONTINUING BEYOND JUNE 30, 2017; OR 3) WHOSE VOTES OR ACTIONS CAUSED A PROPOSED
23 REPEAL TO FAIL DUE TO A LACK OF TIMELY ACTION, WITHDRAWAL OF THE BILL, OR ANY
24 OTHER LEGISLATIVE PROCESS..

25 (c) IF THE COUNTY EXECUTIVE VETOES A BILL PASSED BY THE COUNTY COUNCIL THAT WOULD
26 REPEAL THE WATERSHED PROTECTION AND RESTORATION FEE PRIOR TO JULY 1, 2017, THE
27 REAL PROPERTY TAX BILL SHALL LIST THE COUNTY EXECUTIVE'S NAME AS BEING
28 RESPONSIBLE FOR THE CONTINUATION OF THE FEE, INSTEAD OF THE NAMES REQUIRED BY
29 SUBSECTION (B) OF THIS SECTION. Contact information for questions and appeals shall be
30 included with the bill's mailing.

1 ***Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that***
2 ***this Act shall become effective 61 days after its enactment.***