
By: **Prince George's County Delegation and Montgomery County Delegation**

Introduced and read first time: February 11, 2000
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Ancillary Services Transfer**
3 **PG/MC 12-00**

4 FOR the purpose of transferring to Prince George's County and Montgomery County
5 certain ancillary services provided by the Washington Suburban Sanitary
6 Commission; requiring a master plumber to obtain a permit from a certain
7 county before cutting into certain property; prohibiting the inclusion of certain
8 costs in a certain service connection charge in certain areas; subjecting certain
9 charges to approval by the county council of an affected county; requiring Prince
10 George's County to maintain certain interests in certain properties for certain
11 drainage uses; requiring the Commission and certain municipal corporations to
12 allow access to certain properties for certain purposes; requiring a person to
13 obtain certain permits from certain counties before performing certain
14 plumbing, waterworks, and sewer construction activities, subject to certain fees
15 and conformity with certain standards, inspections, and rights of entry; allowing
16 a county to require certain corrections and system maintenance and operation or
17 make the corrections or undertake the maintenance and operation at the
18 expense of certain owners or operators; requiring certain documentation of
19 certain work to be provided to certain counties and the Commission; entitling
20 certain holders of certain Commission plumber's licenses to be issued certain
21 licenses by the State Board of Plumbing; repealing certain Commission
22 infractions subject to certain civil monetary fines; repealing the authority of the
23 Commission to authorize certain connections, hookups, and authorizations for
24 service; repealing the authority of the Commission to regulate gasfitting and
25 sewer cleaning; repealing the authority of the Commission to regulate plumbing
26 and installation in certain areas; repealing the authority of the Commission to
27 license plumbers; expressing the intent of the General Assembly; requiring that
28 on or before a certain date the county councils and county executives of Prince
29 George's County and Montgomery County develop a certain plan for
30 implementing the transfer of ancillary services under this Act; authorizing
31 Prince George's County and Montgomery County to consider and implement
32 certain options presented to the Task Force on Privatization of the Washington
33 Suburban Sanitary Commission, subject to certain conditions and implementing
34 legislation; providing for the continuation of certain permits, licenses, and rules

1 and regulations, subject to certain conditions; providing that existing obligations
2 or contract rights may not be impaired by this Act; providing for the delayed
3 effective date of portions of this Act; subjecting certain portions of this Act to a
4 certain contingency; and generally relating to the transfer of ancillary services
5 of the Washington Suburban Sanitary Commission to Prince George's County
6 and Montgomery County and to the State Board of Plumbing and the sale of
7 Commission assets.

8 BY repealing and reenacting, with amendments,
9 Article 29 - Washington Suburban Sanitary District
10 Section 3-105, 6-101, 6-102, 8-101, 8-102, 8-104, and 18-104(g)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1999 Supplement)

13 BY repealing
14 Article 29 - Washington Suburban Sanitary District
15 Section 3-301 and the subtitle "Subtitle 3. Sewer Cleaning"; 8-103, and 9-102
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1999 Supplement)

18 BY adding to
19 Article 29 - Washington Suburban Sanitary District
20 Section 6-106(c)
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 1999 Supplement)

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

25 **Article 29 - Washington Suburban Sanitary District**

26 3-105.

27 [(a) Except as provided in subsection (d) of this section, this section does not
28 apply to streets, roads, alleys, sidewalks, or public property in the jurisdiction of
29 Montgomery County.

30 (b) The WSSC may not grant water or sewer service connections, hookups, or
31 authorizations for service or otherwise extend water and sewer service to any new
32 development within the Prince George's County portion of the sanitary district unless
33 the development is in conformance with adopted and approved plans, programs, and
34 policies of Prince George's County or other rules and regulations that the county may
35 desire to include in a duly adopted and approved comprehensive water and sewerage
36 plan, amendment, or revision.

1 (c) (1) The WSSC may authorize the construction of service connections by a
2 master plumber, who is registered in the sanitary district, under the supervision of
3 the WSSC.

4 (2) All taps in installations of the WSSC shall be made by the WSSC at
5 a charge that the WSSC considers reasonable.

6 (3) The WSSC may construct and make water service connections of 2
7 inches or larger and charge for these connections at the actual cost to the WSSC.

8 (4) (i) If the WSSC, by resolution, authorizes service connections to be
9 made by a master plumber, under proper regulations and after issuance of a written
10 permit by the WSSC, the master plumber may enter on and cut into any street under
11 the jurisdiction of any public authority to the same extent that the WSSC may enter
12 on and cut into any such street.

13 (ii) The WSSC shall adopt regulations to implement the provisions
14 of this section.

15 (iii) The master plumber shall first post with the WSSC an
16 indemnity bond in an amount fixed by and with sureties approved by the WSSC. The
17 bond shall indemnify the WSSC and any State, county, or municipal authority having
18 jurisdiction over the street against all loss, cost, or damage that may be caused by the
19 master plumber's entering on and cutting into the street. The master plumber shall
20 deposit with the WSSC in cash a sum to be fixed by the WSSC to cover the cost of
21 resurfacing the cut.

22 (iv) The only permit required shall be that issued by the WSSC in
23 accordance with the provisions of this section. However, the master plumber shall
24 notify the authority having control of the street to be entered and cut of the time and
25 nature of the work to be done.

26 (d)] (A) Before cutting into any street, road, alley, sidewalk or public property
27 under the jurisdiction of Montgomery County, a master plumber shall first secure a
28 permit from Montgomery County, and shall pay a fee and comply with regulations
29 established by Montgomery County.

30 (B) BEFORE CUTTING INTO ANY STREET, ROAD, ALLEY, SIDEWALK OR PUBLIC
31 PROPERTY UNDER THE JURISDICTION OF PRINCE GEORGE'S COUNTY, A MASTER
32 PLUMBER SHALL FIRST SECURE A PERMIT FROM PRINCE GEORGE'S COUNTY, AND
33 SHALL PAY A FEE AND COMPLY WITH REGULATIONS ESTABLISHED BY PRINCE
34 GEORGE'S COUNTY.

35 [Subtitle 3. Sewer Cleaning.]

36 [3-301.

37 (a) (1) In this section, "sewer cleaning" means the cleaning or clearing of
38 and the removal of stoppages or obstructions in sanitary sewer lines, pipes, and
39 fixtures.

1 (2) "Sewer cleaning" does not include any installation, maintenance,
2 extension, removal, or alteration of any pipe, sanitary fixture, or other sewer
3 apparatus.

4 (b) This section does not:

5 (1) Require a person to have a sewer cleaner's license to clean a sewer on
6 the person's own property;

7 (2) Prevent a person from cleaning a sewer on the person's own property;
8 or

9 (3) Apply to or prohibit the cleaning by any person of a sewer or sanitary
10 fixture of any dwelling, commercial or industrial establishment, or premises owned or
11 operated by the person.

12 (c) (1) The WSSC shall adopt and enforce rules and regulations governing
13 sewer cleaning in sanitary sewer lines, pipes, and fixtures connected to the WSSC's
14 sanitary sewerage system.

15 (2) To qualify for a sewer cleaner's license, a person need not be a master
16 plumber, but the license for sewer cleaning does not authorize the licensee to engage
17 in the plumbing business unless the licensee is otherwise qualified and has the
18 license required of plumbers.

19 (3) The WSSC:

20 (i) Shall require that persons other than a licensed master
21 plumber engaged in or representing themselves out to the public as engaged in sewer
22 cleaning in sanitary sewer lines, pipes, and fixtures be licensed by the WSSC;

23 (ii) May require a bond of the licensee to insure compliance with
24 and adherence to the rules and regulations adopted by the WSSC;

25 (iii) May prescribe qualifications and examine applicants
26 concerning their competency and qualifications for a license under this section; and

27 (iv) May require a reasonable fee for the issuance and renewals of
28 licenses in an amount not more than one-half of the fee charged for a master
29 plumber's license.]

30 6-101.

31 (a) (1) For every service connection under § 3-104 of this article, the WSSC
32 shall set a charge that the WSSC determines to be reasonable.

33 (2) The charge shall be uniform throughout EACH COUNTY IN the
34 sanitary district for connections of those sizes and classes for which the average cost
35 reasonably may be ascertainable and for the actual cost for all other connections,

1 subject to a revision of the charges annually by the WSSC, SUBJECT TO THE
2 APPROVAL OF THE COUNTY COUNCIL OF THE AFFECTED COUNTY.

3 (3) All property owners shall pay the charge at the office of the WSSC
4 before the actual connection with any pipe or private property is made.

5 (4) THE COSTS OF PERMITTING AND INSPECTION OF SERVICE
6 CONNECTIONS AND HOOKUPS CONDUCTED BY A COUNTY MAY NOT BE INCLUDED IN
7 THE CHARGE UNDER THIS SECTION.

8 (b) Of all of the revenue over actual cost that is derived from the charges, the
9 WSSC shall:

10 (1) Retain one-half of the revenue in a contingency fund for repair,
11 replacement, or any extraordinary expense in the maintenance and operation of the
12 water supply or sewerage systems under the control of the WSSC; and

13 (2) Apply one-half of the revenue to pay the bonded debt of the WSSC.

14 6-102.

15 (a) (1) If the WSSC determines that it is feasible, reasonable, and
16 economical, the WSSC may provide that a water or sanitary sewer connection made to
17 a water or sewer line installed in a street, road, alley, or right-of-way which has not
18 been paved or otherwise improved, so as not to require the replacing of pavement or
19 street improvement on installation of the connection, may be placed in a separate
20 class of connection.

21 (2) The WSSC may specify a charge based on the actual cost of the
22 connections[, including the WSSC inspection charge,] or the WSSC may make
23 provision for the installation of the connections, including taps into the main or line,
24 by the applicant or at the applicant's cost, but under supervision and inspection of the
25 [WSSC] COUNTY IN WHICH THE CONNECTIONS ARE LOCATED. The WSSC may
26 provide that any class of connection from its water line or sanitary sewer pipe may be
27 constructed beyond the property line of the property to be served, if the connecting
28 pipe is constructed at 1 time from the main to the structure on the property to be
29 served.

30 (3) With respect to the portion of the connecting pipe from the property
31 line in or on the property, the property owner alone shall pay the expense of
32 construction and of subsequent maintenance of the connecting pipe.

33 (b) (1) If the WSSC provides for an unimproved area class of connections,
34 the charges for water and sanitary sewer connections to similar properties in already
35 developed areas OF A COUNTY may be based on the WSSC's calculation, utilizing its
36 experience, of an average cost for these connections in both unimproved and already
37 developed areas, and the WSSC may specify this charge as the uniform charge
38 provided in § 6-101 of this title for connections installed by the WSSC in already
39 developed areas, AND SUBJECT TO THE APPROVAL OF THE COUNTY COUNCIL OF THE
40 AFFECTED COUNTY.

1 (2) Any difference between the actual cost of these connections and the
2 uniform charge shall be a part of the cost of providing water and sewer service, as
3 applicable, for which other provisions of this article provide a water service charge or
4 a sewer usage charge.

5 (c) (1) The WSSC may provide for the installation of the water or sewer
6 connection with and as part of the construction of a water or sewer lateral line where
7 the property to which the connection is made has not been assessed a front foot
8 benefit charge under § 5-101 of this article.

9 (2) In this event, the WSSC shall collect the deferred portion of the
10 charge for the connections by the benefit charge assessment and procedure under §
11 5-106 of this article.

12 (d) (1) If the water or sewer lateral line has been constructed or where the
13 property for which an application for connection is made has been assessed a benefit
14 charge under § 5-101 of this article and the property is in an agricultural, small
15 acreage, or residential class, the WSSC may provide for a deferred or installment
16 basis of payment for all or a portion of the water and sewer connection charges for
17 single family residential units with individual water or sewer house connections.

18 (2) Where these procedures are established and used by an applicant for
19 connection who requests the deferred payment method, the installation of the
20 connection shall be an additional benefit to the property so connected for which the
21 applicant shall be liable for payment until the deferred charge has been amortized,
22 under the schedule that the WSSC requires.

23 (3) The connection charge benefit assessment shall be payable as
24 provided by § 5-106 of this article.

25 (e) In adopting or amending any rule or regulation under this section, and in
26 establishing or modifying the water or sewer connection charges, the WSSC shall
27 comply with the requirements of § 9-101 of this article.

28 (f) Agreements that the WSSC entered into between July 1, 1969 and April
29 22, 1970 with the owner of any property for the installation of a water or sewer house
30 connection on a deferred basis which provided for the liability of the property for the
31 deferred portion of the connection charge are valid and the WSSC may implement the
32 collection of the deferred portion by establishing and collecting a benefit charge
33 against the property, as provided in § 5-106 of this article.

34 6-106.

35 (C) (1) PRINCE GEORGE'S COUNTY SHALL MAINTAIN EVERY INTEREST IN
36 SURFACE DRAINAGE EASEMENTS, STRUCTURES, AND OTHER PROPERTIES,
37 WHETHER OR NOT ESTABLISHED BY PLAT FOR STORM DRAINAGE USE AND
38 PURPOSES, THAT CONTROL AND DISPOSE OF STORM OR SURFACE WATER IN PRINCE
39 GEORGE'S COUNTY AND THAT WERE TRANSFERRED BY DEED TO PRINCE GEORGE'S
40 COUNTY.

1 (2) THE WSSC AND ANY MUNICIPALITY IN PRINCE GEORGE'S COUNTY
2 SHALL ALLOW PRINCE GEORGE'S COUNTY TO ENTER AND EXIT OVER ANY OF ITS
3 FEES, LEASEHOLDS, EASEMENTS, OR RIGHTS-OF-WAY TO MAINTAIN ANY DRAINAGE
4 EASEMENT, STRUCTURE, OR OTHER PROPERTY.

5 8-101.

6 (a) (1) Before a person does any plumbing, waterworks, or sewer
7 construction in any building or on any private property in the sanitary district or
8 elsewhere in Prince George's County, the person shall first obtain a permit from the
9 [WSSC] COUNTY and pay a reasonable fee for the permit that the [WSSC] COUNTY
10 sets.

11 (2) The work shall:

12 (i) Conform to the rules, regulations, and requirements adopted by
13 the [WSSC] COUNTY; and

14 (ii) Be subject to any inspection that the [WSSC] COUNTY
15 considers necessary.

16 (b) (1) A hookup may not be made with any water or sewer service line that
17 is constructed or maintained by the WSSC without a permit FROM THE COUNTY and
18 under the conditions authorized by the [WSSC] COUNTY.

19 (2) The [WSSC] COUNTY may enter at reasonable hours all buildings or
20 premises having any connection with the water supply or sewerage systems under the
21 jurisdiction of the WSSC to prevent waste of water. The WSSC may order and require
22 any change in the plumbing, waterworks, or water or sewer connections as the WSSC
23 considers necessary to eliminate leakage, loss of water, or unnecessary use of sewers.

24 (c) (1) A person may not construct a private or semipublic water supply or
25 sewerage installation intended for the use of 2 or more buildings or premises in the
26 sanitary district or elsewhere in Prince George's County without first obtaining a
27 permit from the [WSSC] COUNTY and paying a reasonable charge for the permit.

28 (2) The plant shall be installed, maintained, and operated under any
29 rules and regulations that the [WSSC] COUNTY adopts.

30 (3) The [WSSC] COUNTY may fix and collect from the owner or operator
31 of these systems a reasonable fee for supervision and inspection of the systems.

32 (d) If an owner or operator of a system fails or refuses to make any correction
33 or fails or refuses to maintain and operate the system in compliance with the
34 requirements of the [WSSC] COUNTY, the [WSSC] COUNTY may make the
35 correction or take over the operation of the system for any period necessary and
36 collect the costs for the correction and operation from the owners or operators.

1 8-102.

2 (a) (1) In Prince George's County, this section does not apply to:

3 (i) Any water supply or sewage collection and disposal system
4 constructed for the sole purpose of serving a single family residence or a single
5 building; and

6 (ii) A water supply or sewage collection and disposal system that
7 was owned and operated by any municipality in Prince George's County on January 1,
8 1959.

9 (2) In Montgomery County, this section does not apply to:

10 (i) Any water supply or sewage collection and disposal system
11 constructed for the sole purpose of serving a single building or group of buildings
12 serving as a single farm unit or as a single commercial or industrial establishment;

13 (ii) An apartment house with less than 5 dwelling units;

14 (iii) Any water supply or sewage collection and disposal system
15 constructed by Montgomery County, any instrumentality of Montgomery County, or
16 the City of Rockville; or

17 (iv) Any water supply or sewage collection and disposal system
18 constructed by a municipal corporation that was owned and operated by the
19 municipality on June 1, 1965.

20 (b) (1) Except in Calvert Manor, a person may not construct, alter, extend, or
21 operate contrary to the provisions of subsection (c) of this section a water supply
22 system or a sewage collection and disposal system in any area outside of the sanitary
23 district in Montgomery County or Prince George's County without a written permit
24 from the [WSSC] COUNTY.

25 (2) (i) The [WSSC] COUNTY may not issue this permit until complete
26 plans and specifications for the installation, alteration, or extension, together with
27 any information that the WSSC requires, have been submitted to and approved by the
28 [WSSC] COUNTY.

29 (ii) All construction shall take place in accordance with the
30 approved plans and shall be subject to the inspection of the [WSSC] COUNTY.

31 (3) (i) The person shall submit any material change in the plans and
32 specifications, together with a statement of the reasons for the alteration, to the
33 [WSSC] COUNTY.

34 (ii) A material change may not be included in the actual
35 construction until the material change has been approved and a permit issued for the
36 material change.

1 (c) The [WSSC] COUNTY:

2 (1) Shall approve plans in accordance with its requirements and issue
3 permits for the construction, alteration, or extension of a water supply system and a
4 sewage collection and disposal system in the area described in subsection (a) of this
5 section;

6 (2) May charge a reasonable fee not exceeding 6 percent of the estimated
7 construction cost for any project described in this section;

8 (3) Shall inspect all of these projects during the course of construction;
9 and

10 (4) Shall require the construction to conform to the approved plans.

11 (d) (1) On completion of any project under this section, the person
12 constructing the project shall file with the COUNTY AND THE WSSC as a permanent
13 record a certified copy of the plans in full, showing the work as built. This record shall
14 be of a character and form as prescribed by the COUNTY AND THE WSSC.

15 (2) A water supply or sewage collection and disposal system, including
16 oxidation ponds and sewage lagoons, for which a permit is required under this section
17 shall be installed, maintained, and operated under the reasonable rules and
18 regulations that the [WSSC] COUNTY requires.

19 (3) The [WSSC] COUNTY shall:

20 (i) Inspect the operations of any project and shall require the
21 owners or operators of the project to maintain and operate the project in compliance
22 with the [WSSC's] COUNTY'S reasonable requirements and with due regard to public
23 health, safety, and comfort;

24 (ii) Fix and collect from the owners or operators of any system a
25 reasonable fee for the supervision and inspection of the system; and

26 (iii) Make the correction or take over for any period necessary for
27 the operation of the system and collect the costs for the system from the owner or
28 operator if the owner or operator fails or refuses to make any correction or to
29 maintain and operate the system in compliance with the [WSSC's] COUNTY'S
30 requirements.

31 (4) The [WSSC] COUNTY is not required to duplicate an analysis and
32 shall adjust its inspection fees accordingly where a municipality in either county:

33 (i) Owns or operates a water supply or sewage collection or
34 disposal system;

35 (ii) Performs or has performed bacteriological and chemical
36 analyses on the system by qualified personnel, as approved by the Department of the
37 Environment and the [WSSC] COUNTY; and

1 (iii) Files a report monthly of these analyses with the [WSSC]
2 COUNTY showing that satisfactory operating conditions currently exist in the system.

3 (5) After construction of a water or sewage treatment facility under a
4 [WSSC] COUNTY permit, and if the operation of the water or sewage treatment
5 facility is subject to inspection by the Department of the Environment, the [WSSC]
6 COUNTY is not required to duplicate those operational inspection functions, and the
7 [WSSC] COUNTY may eliminate or reduce its operation and inspection fee in
8 proportion to the eliminated inspection activities. All other aspects of the [WSSC]
9 COUNTY permit for the facility shall continue.

10 (e) A conviction under this section does not relieve any person of the necessity
11 of securing and paying for a permit and complying with all other applicable provisions
12 of this section.

13 [8-103.

14 (a) (1) With respect to those portions of Prince George's County that are not
15 in the sanitary district, the plumbing rules and regulations of the WSSC apply to the
16 installation of any plumbing begun on or after June 1, 1965.

17 (2) However, those rules and regulations do not apply to plumbing
18 installations already in existence on July 1, 1965, and the owner of the property
19 where the existing plumbing is located is not required to change the existing
20 plumbing until either water or sewer service is obtained from a WSSC system.

21 (3) On the happening of any of those events, the provisions of this section
22 and the rules and regulations of the WSSC apply to the property and the plumbing
23 the same as if the property was in the sanitary district.

24 (b) (1) The WSSC may enter into an agreement with Prince George's County
25 under which the county will issue the necessary permit and perform the necessary
26 inspection for and in the name of the WSSC in those areas that are not in the sanitary
27 district, if the agreement provides that the plumbing rules and regulations of the
28 WSSC will be applied.

29 (2) Neither this subsection nor any agreement entered into under this
30 subsection shall take away from the WSSC's power to adopt rules and regulations for
31 the installation of plumbing in Prince George's County as the WSSC considers
32 necessary for the public health.

33 (3) Also, this subsection and any agreement entered into under this
34 subsection does not affect the WSSC's power with respect to public and semipublic
35 water supply and sanitary sewerage systems specified in this section and § 8-102 of
36 this title.]

37 8-104.

38 (a) [Subject to § 12-305 of the Business Occupations and Professions Article,
39 the WSSC has the sole power to grant licenses to persons desiring to work at the

1 plumbing business in areas of Montgomery or Prince George's County that are under
2 the jurisdiction of the WSSC. The fees to be charged for a license may not exceed the
3 fees as fixed in the Maryland Plumbing Act. The WSSC shall exercise within areas
4 under the jurisdiction of the WSSC all the authority and power conferred upon the
5 State Board of Plumbing.

6 (b) Any person holding a valid master plumber's license or a journeyman
7 plumber's license THAT WAS issued by the WSSC BEFORE JULY 1, 2001 is entitled to
8 be issued a master plumber's license or a journeyman plumber's license, as
9 applicable, by the State Board of Plumbing without examination, upon the
10 presentation of a valid master plumber's license or a journeyman plumber's license,
11 as applicable, and a notarized statement of good standing issued by the WSSC.
12 [Further, any plumber residing in an area under the jurisdiction of the WSSC holding
13 a valid master plumber's license or a journey plumber's license issued by the State
14 Board of Plumbing is entitled to be issued a master plumber's license or a journeyman
15 plumber's license, as applicable, by the WSSC, without examination, upon
16 presentation of a valid master plumber's license or a journey plumber's license, as
17 applicable, issued by the State Board of Plumbing.]

18 [(c)] (B) Any license issued to a master plumber or a plumber in good standing
19 pursuant to a reciprocity arrangement by the State Board of Plumbing and the WSSC
20 prior to July 1, 1978 shall remain in full force and effect.

21 [9-102.

22 (a) (1) The WSSC may adopt rules and regulations that the WSSC considers
23 necessary or desirable for the construction, installation, and equipment of gas
24 fixtures, devices, and connections from the outlet of the meter supplying any building
25 in the Washington Suburban Sanitary District. The WSSC may require a permit and
26 charge a fee for these gas fixtures, devices, and connections.

27 (2) The WSSC shall publish separate notices of any new rules and
28 regulations which are authorized by this section at least 30 days before their effective
29 date in at least 2 newspapers published in each county.

30 (b) A person may not violate any of the rules or regulations adopted by the
31 WSSC under this section.]

32 18-104.

33 (g) A person who violates any of the following provisions has committed a
34 WSSC infraction and shall pay to the WSSC a civil monetary fine as provided in §
35 18-104.2 of this article:

36 [(1) Rules and regulations governing sewer cleaning § 3-301.]

37 [(2) (1) Rules and regulations governing plumbing [§ 8-101, § 8-102,
38 § 8-103, § 9-101, § 14-102,] § 14-102 or § 15-104.

1 [(3)] (2) Rules and regulations governing erosion and sediment control
2 for utility construction..... § 9-101.

3 [(4) Rules and regulations governing gasfitting§ 9-102.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
5 General Assembly that this Act shall transfer the ancillary services performed by the
6 Washington Suburban Sanitary Commission:

7 (1) in the areas of gasfitting licensing, inspection, and permitting, and
8 sewer cleaning regulation, to the respective governments of Prince George's County
9 and Montgomery County, subject to approval by the local governing body of the
10 respective county;

11 (2) in the areas of plumbing inspection and permitting, to the
12 government of Prince George's County, subject to approval by the local governing body
13 of the county; and

14 (3) in the area of plumbing licensing, to the State Board of Plumbing.

15 SECTION 3. AND BE IT FURTHER ENACTED, That, except as expressly
16 provided to the contrary in this Act, any transaction affected by or flowing from any
17 statute here amended or repealed and validly entered into before the effective date of
18 this Act and every right, duty, or interest following from it remain valid after the
19 effective date of this Act and may be terminated, completed, consummated, or
20 enforced pursuant to law.

21 SECTION 4. AND BE IT FURTHER ENACTED, That a presently existing
22 obligation or contract right may not be impaired in any way by this Act.

23 SECTION 5. AND BE IT FURTHER ENACTED, That, except as expressly
24 provided to the contrary in this Act, all permits and licenses, applications for permits
25 and licenses, rules and regulations, proposed rules and regulations, standards, and
26 guidelines, proposed standards and guidelines, orders and other directives, forms,
27 plans, memberships, special funds, appropriations, grants, applications for grants,
28 contracts, properties, investigations, administrative and judicial proceedings, rights
29 to sue and be sued, and all other duties and responsibilities associated with those
30 functions transferred by this Act shall continue in effect under the local governments
31 of Prince George's County and Montgomery County, respectively, or the appropriate
32 board, council, or other unit within the respective counties, until completed,
33 withdrawn, canceled, modified, or otherwise changed pursuant to law.

34 SECTION 6. AND BE IT FURTHER ENACTED, That Prince George's County
35 and Montgomery County may jointly consider and adopt any of the options presented
36 to the Task Force on Privatization of the Washington Suburban Sanitary Commission
37 that was created under Chapter 713 of the Acts of the General Assembly of 1998, and
38 may submit any such recommendation to the House and Senate Delegations to the
39 General Assembly from Prince George's County and Montgomery County, to consider
40 the enactment of legislation necessary to authorize the recommendation.

1 SECTION 7. AND BE IT FURTHER ENACTED, That, on or before December 1,
2 2000 the county councils and county executives of Prince George's County and
3 Montgomery County shall jointly develop and adopt a plan for transferring to their
4 respective counties the functions, personnel, and assets associated with ancillary
5 services that have been provided by the Washington Suburban Sanitary Commission,
6 in accordance with this Act. The plan shall include any additional necessary
7 legislation for transferring the ancillary functions and for clarifying the relationship
8 between the counties and the Commission with respect to those services and the use
9 of Commission facilities. Within 30 days after adoption of the plan, the plan shall be
10 submitted for informational purposes, in accordance with § 2-1246 of the State
11 Government Article, to the House and Senate Delegations to the General Assembly
12 from Prince George's County and Montgomery County, and to the Department of
13 Legislative Services.

14 SECTION 8. AND BE IT FURTHER ENACTED, That Sections 1, 2, 3, 4, and 5
15 of this Act shall take effect July 1, 2001, contingent on the adoption of a plan under
16 Section 7 of this Act. If a plan is not adopted on or before December 1, 2000 as
17 provided under Section 7 of this Act, Sections 1, 2, 3, 4, and 5 of this Act shall be null
18 and void and of no force and effect.

19 SECTION 9. AND BE IT FURTHER ENACTED, That, except as provided in
20 Section 8 of this Act, this Act shall take effect July 1, 2000.