

HOUSE BILL 937

M3

4lr2537

By: **Delegates Elliott, Arentz, Aumann, Bates, Beitzel, Cluster, Conway, Eckardt, Hogan, Hucker, Impallaria, Jameson, Kaiser, K. Kelly, Kipke, Krebs, McDermott, McDonough, McIntosh, Norman, Otto, Parrott, Ready, Reznik, Rudolph, Schulz, Serafini, Stocksdale, Vitale, and Wood**
Introduced and read first time: February 5, 2014
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Wastewater Treatment Facilities – Distribution of Financial Assistance**

3 FOR the purpose of requiring the Maryland Water Quality Financing Administration
4 in the Department of the Environment to ensure a certain distribution of
5 certain financial assistance among certain wastewater treatment facilities; and
6 generally relating to financial assistance to wastewater treatment facilities.

7 BY repealing and reenacting, without amendments,
8 Article – Environment
9 Section 9–1601(a), (b), (c), (ii), and (jj)
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Environment
14 Section 9–1604
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2013 Supplement)

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

19 **Article – Environment**

20 9–1601.

21 (a) Unless the context clearly requires otherwise, in this subtitle the
22 following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) "Administration" means the Maryland Water Quality Financing
2 Administration.

3 (c) "Bay Restoration Fund" means the Bay Restoration Fund established
4 under § 9-1605.2 of this subtitle.

5 (ii) "Wastewater facility" means any equipment, plant, treatment works,
6 structure, machinery, apparatus, interest in land, or any combination of these, which
7 is acquired, used, constructed, or operated for the storage, collection, treatment,
8 neutralization, stabilization, reduction, recycling, reclamation, separation, or disposal
9 of wastewater, or for the final disposal of residues resulting from the treatment of
10 wastewater, including: treatment or disposal plants; outfall sewers, interceptor
11 sewers, and collector sewers; pumping and ventilating stations, facilities, and works;
12 programs and projects for controlling nonpoint sources of water pollution and for
13 estuarine conservation and management; and other real or personal property and
14 appurtenances incident to their development, use, or operation.

15 (jj) "Water Quality Fund" means the Maryland Water Quality Revolving
16 Loan Fund.

17 9-1604.

18 (A) In addition to the powers set forth elsewhere in this subtitle, but subject
19 to such rules or program directives as the Secretary may from time to time prescribe,
20 the Administration may:

21 (1) Adopt and alter an official seal;

22 (2) Sue and be sued, plead, and be impleaded;

23 (3) Adopt bylaws, rules, and regulations to carry out the provisions of
24 this subtitle;

25 (4) Maintain an office at such place as the Secretary may designate;

26 (5) Employ consultants, accountants, attorneys, financial experts, and
27 other personnel and agents as may be necessary in its judgment, and fix their
28 compensation;

29 (6) Establish regulations, criteria, or guidelines with respect to loans,
30 loan agreements, loan obligations, grants, grant agreements, and grant obligations;

31 (7) Receive and accept from any source, private or public,
32 contributions, grants, or gifts of money or property;

1 (8) Enter into contracts of any kind, and execute all instruments
2 necessary or convenient with respect to carrying out the powers in this subtitle to
3 accomplish the purposes of the Administration;

4 (9) Make loans, enter into loan agreements, and accept and enforce
5 loan obligations;

6 (10) Award grants, enter into grant agreements, and accept and enforce
7 grant obligations;

8 (11) Subject to the prior approval of the Board and the Secretary, issue
9 bonds under this subtitle; and

10 (12) Do all acts and things necessary or convenient to carry out the
11 powers granted by this subtitle.

12 **(B) (1) THIS SUBSECTION APPLIES TO FINANCIAL ASSISTANCE**
13 **PROVIDED BY THE ADMINISTRATION UNDER:**

14 **(I) THE WATER QUALITY FUND;**

15 **(II) THE BAY RESTORATION FUND;**

16 **(III) THE BIOLOGICAL NUTRIENT REMOVAL PROGRAM; AND**

17 **(IV) THE SUPPLEMENTAL ASSISTANCE PROGRAM.**

18 **(2) THE ADMINISTRATION SHALL ENSURE THE FAIR AND**
19 **EQUITABLE DISTRIBUTION OF FINANCIAL ASSISTANCE AMONG WASTEWATER**
20 **TREATMENT FACILITIES WITH A DESIGN CAPACITY OF LESS THAN 500,000**
21 **GALLONS PER DAY AND WASTEWATER TREATMENT FACILITIES WITH A DESIGN**
22 **CAPACITY OF 500,000 GALLONS OR MORE PER DAY.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2014.