
By: Carroll County Delegation

Introduced and read first time: February 23, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - Participation in the Northeast Maryland Waste Disposal Authority**

3 FOR the purpose of authorizing Carroll County to become a participating county in the
4 Northeast Maryland Waste Disposal Authority under certain circumstances; making
5 stylistic changes; and generally relating to the participation of Carroll County in the
6 Northeast Maryland Waste Disposal Authority.

7 BY repealing and reenacting, with amendments,
8 Article - Natural Resources
9 Section 3-903(a)
10 Annotated Code of Maryland
11 (1989 Replacement Volume and 1995 Supplement)

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

14 **Article - Natural Resources**

15 3-903.

16 (a) (1) There is hereby created a body politic and corporate to be known as the
17 "Northeast Maryland Waste Disposal Authority" which is constituted a public
18 instrumentality of the State of Maryland. The exercise by the Authority of the powers
19 conferred by this subtitle shall be deemed to be the performance of an essential public
20 function.

21 (2) The Authority was organized and commenced its activities on October
22 21, 1980, when there were filed with the Secretary of State and the Department of
23 Legislative Reference certified copies of the resolutions of participation of at least two of
24 the following four counties: Mayor and City Council of Baltimore, Baltimore County,
25 Maryland, Anne Arundel County, Maryland, and Harford County, Maryland.

26 (3) Montgomery County, Maryland, also became a participating county in
27 the Authority by filing certified copies of a resolution of participation with the Secretary
28 of State and the Department of Legislative Reference, whereupon Montgomery County,
29 Maryland had all of the rights, privileges, and powers under this subtitle that the other
30 participating counties have or may have, including the power to participate in projects
31 and to enter into contracts with the Authority, including the contracts relating to the

2

1 Authority's Southwest Resource Recovery Facility located in the City of Baltimore, in
2 order to defray and provide for the Authority's costs of acquiring, constructing, operating,
3 or providing a project, including debt service requirements of the Authority relating to a
4 project.

5 (4) CARROLL COUNTY, MARYLAND MAY ALSO BECOME A
6 PARTICIPATING COUNTY IN THE AUTHORITY BY THE COUNTY COMMISSIONERS OF
7 CARROLL COUNTY FILING CERTIFIED COPIES OF A RESOLUTION OF PARTICIPATION
8 WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LEGISLATIVE
9 REFERENCE, WHEREUPON CARROLL COUNTY, MARYLAND SHALL HAVE ALL OF THE
10 RIGHTS, PRIVILEGES, AND POWERS UNDER THIS SUBTITLE THAT THE OTHER
11 PARTICIPATING COUNTIES HAVE OR MAY HAVE.

12 (5) Each resolution of participation contained:

13 [(1)] (I) A declaration by the county of its intention and consent to
14 participate in the activities of the Authority; and

15 [(2)] (II) Such provisions, if any, as the participating counties
16 approved and required as being necessary or desirable for the Authority to be an
17 organization described in § 501(c)(3) of the Internal Revenue Code.

18 (6) Each resolution of participation was presented by the chief executive
19 officer of a county to the body exercising legislative powers of that county and was
20 effective after adoption by such legislative body and approval by such chief executive
21 officer.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1996.