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**By: Carroll County Delegation**

Introduced and read first time: February 23, 1996

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 1996

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Carroll County and Howard Counties - Participation in the Northeast Maryland Waste**  
3 **Disposal Authority**

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

9 BY repealing and reenacting, with amendments,  
10 Article - Natural Resources  
11 Section 3-903(a)  
12 Annotated Code of Maryland  
13 (1989 Replacement Volume and 1995 Supplement)

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

16 **Article - Natural Resources**

17 3-903.

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

23 (2) The Authority was organized and commenced its activities on October  
24 21, 1980, when there were filed with the Secretary of State and the Department of

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1 Legislative Reference certified copies of the resolutions of participation of at least two of  
2 the following four counties: Mayor and City Council of Baltimore, Baltimore County,  
3 Maryland, Anne Arundel County, Maryland, and Harford County, Maryland.

4 (3) Montgomery County, Maryland, also became a participating county in  
5 the Authority by filing certified copies of a resolution of participation with the Secretary  
6 of State and the Department of Legislative Reference, whereupon Montgomery County,  
7 Maryland had all of the rights, privileges, and powers under this subtitle that the other  
8 participating counties have or may have, including the power to participate in projects  
9 and to enter into contracts with the Authority, including the contracts relating to the  
10 Authority's Southwest Resource Recovery Facility located in the City of Baltimore, in  
11 order to defray and provide for the Authority's costs of acquiring, constructing, operating,  
12 or providing a project, including debt service requirements of the Authority relating to a  
13 project.

14 (4) CARROLL COUNTY, MARYLAND MAY ALSO BECOME A  
15 PARTICIPATING COUNTY IN THE AUTHORITY BY THE COUNTY COMMISSIONERS OF  
16 CARROLL COUNTY FILING CERTIFIED COPIES OF A RESOLUTION OF PARTICIPATION  
17 WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LEGISLATIVE  
18 REFERENCE, WHEREUPON CARROLL COUNTY, MARYLAND SHALL HAVE ALL OF THE  
19 RIGHTS, PRIVILEGES, AND POWERS UNDER THIS SUBTITLE THAT THE OTHER  
20 PARTICIPATING COUNTIES HAVE OR MAY HAVE.

21 (5) HOWARD COUNTY, MARYLAND MAY ALSO BECOME A  
22 PARTICIPATING COUNTY IN THE AUTHORITY BY THE COUNTY COUNCIL OF  
23 HOWARD COUNTY FILING CERTIFIED COPIES OF A RESOLUTION OF PARTICIPATION  
24 WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LEGISLATIVE  
25 REFERENCE, WHEREUPON HOWARD COUNTY, MARYLAND SHALL HAVE ALL OF THE  
26 RIGHTS, PRIVILEGES, AND POWERS UNDER THIS SUBTITLE THAT THE OTHER  
27 PARTICIPATING COUNTIES HAVE OR MAY HAVE.

28 ~~(5)~~ (6) Each resolution of participation contained:

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

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

34 ~~(6)~~ (7) Each resolution of participation was presented by the chief  
35 executive officer of a county to the body exercising legislative powers of that county and  
36 was effective after adoption by such legislative body and approval by such chief executive  
37 officer.

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

