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**By: Senator Haines (Carroll County Delegation)**

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 1996

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Carroll County - Account to Fund Alternative and Innovative Public Health Projects~~

3 On-Site and Small Community Wastewater Disposal Fund

4 FOR the purpose of ~~requiring the Health Department of Carroll County to establish a~~  
5 ~~certain account~~ establishing an On-Site and Small Community Wastewater Disposal  
6 Fund in the Carroll County Health Department for the purpose of funding a grant  
7 program to correct certain public health hazards ~~with certain methods~~; requiring the  
8 Carroll County Health Department to ~~fund the account by depositing into the~~  
9 ~~account~~ deposit into the Fund a certain amount of every fee collected from a certain  
10 soil ~~percolation~~ evaluation test; ~~requiring grants from the account to be awarded by~~  
11 ~~a certain committee; providing for the membership of the committee~~; and generally  
12 relating to the establishment of ~~a certain account to fund certain public health~~  
13 ~~projects~~ an On-Site and Small Community Wastewater Disposal Fund for a certain  
14 purpose in Carroll County.

15 ~~BY repealing and reenacting, without amendments,~~  
16 ~~Article—Environment~~  
17 ~~Section 1-101(a) and (d) and 9-204(a)~~  
18 ~~Annotated Code of Maryland~~  
19 ~~(1993 Replacement Volume and 1995 Supplement)~~

20 ~~BY repealing and reenacting, with amendments,~~  
21 ~~Article—Environment~~  
22 ~~Section 9-204(b)~~  
23 ~~Annotated Code of Maryland~~  
24 ~~(1993 Replacement Volume and 1995 Supplement)~~

25 BY adding to

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1 Article - Environment  
 2 Section 9-1105  
 3 Annotated Code of Maryland  
 4 (1993 Replacement Volume and 1995 Supplement)

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

7 **Article - Environment**

8 ~~1-101.~~

9 (a) ~~In this article the following words have the meanings indicated.~~

10 (d) ~~"Department" means the Department of the Environment.~~

11 ~~9-204.~~

12 (a) ~~This section applies to any water supply system, sewerage system, refuse~~  
 13 ~~disposal system that is for public use, or any refuse disposal system that is a solid waste~~  
 14 ~~acceptance facility as defined in § 9-501(n) of this title if the solidwaste acceptance~~  
 15 ~~facility is installed, altered, or extended after July 1, 1988.~~

16 (b) ~~(1) The Secretary may adopt reasonable and proper regulations for~~  
 17 ~~submission of plans. These regulations may include the collection of a fee at the time of~~  
 18 ~~application for:~~

19 (i) ~~A permit issued under this section for a privately owned water~~  
 20 ~~supply or sewerage system; or~~

21 (ii) ~~A permit applied for by a local unit of government for a privately~~  
 22 ~~financed water supply or sewerage system.~~

23 (2) ~~The Secretary shall provide the regulated community an opportunity to~~  
 24 ~~participate in the rate setting and regulatory processes.~~

25 (3) ~~(I) IN CARROLL COUNTY, THE LOCAL HEALTH DEPARTMENT~~  
 26 ~~SHALL ESTABLISH A SPECIAL ACCOUNT TO BE USED TO FUND A GRANT PROGRAM~~  
 27 ~~FOR THE CORRECTION OF EXISTING OR POTENTIAL PUBLIC HEALTH HAZARDS~~  
 28 ~~THROUGH INNOVATIVE OR ALTERNATIVE ON-SITE SEWAGE DISPOSAL SYSTEMS~~  
 29 ~~AND ELIGIBLE SELF-HELP PROJECTS.~~

30 (II) ~~THE LOCAL HEALTH DEPARTMENT SHALL FUND THE~~  
 31 ~~ACCOUNT BY DEPOSITING \$10 FROM EVERY SOIL PERCOLATION TEST FEE INTO THE~~  
 32 ~~ACCOUNT.~~

33 (III) ~~1. A COMMITTEE SHALL ADMINISTER AND AWARD THE~~  
 34 ~~GRANTS UNDER THIS PARAGRAPH.~~

35 ~~2. THE COMMITTEE CONSISTS OF SEVEN MEMBERS,~~  
 36 ~~INCLUDING:~~

37 ~~A. FOUR REPRESENTATIVES OF THE CARROLL COUNTY~~  
 38 ~~HEALTH DEPARTMENT;~~

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1 ~~B. TWO REPRESENTATIVES OF THE CARROLL COUNTY~~  
2 ~~GOVERNMENT; AND~~

3 ~~C. A REPRESENTATIVE OF THE DEPARTMENT.~~

4 9-1105.

5 (A) THIS SECTION APPLIES ONLY IN CARROLL COUNTY.

6 (B) THERE IS AN ON-SITE AND SMALL COMMUNITY WASTEWATER DISPOSAL  
7 FUND IN THE CARROLL COUNTY HEALTH DEPARTMENT.

8 (C) THE CARROLL COUNTY HEALTH DEPARTMENT SHALL USE THE FUND TO  
9 PROVIDE GRANTS TO PERSONS TO CORRECT EXISTING OR POTENTIAL PUBLIC  
10 HEALTH HAZARDS THROUGH INNOVATIVE OR ALTERNATIVE ON-SITE SEWAGE  
11 DISPOSAL SYSTEMS AND ELIGIBLE SMALL COMMUNITY SELF-HELP PROJECTS.

12 (D) THE FUND SHALL CONSIST OF 10% OF ALL SOIL EVALUATION FEES THAT  
13 THE CARROLL COUNTY HEALTH DEPARTMENT HAS COLLECTED AND RETAINED  
14 AND DEPOSITED INTO THE FUND AS AUTHORIZED UNDER § 3-202 OF THE HEALTH -  
15 GENERAL ARTICLE.

16 (E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,  
17 ANY UNEXPENDED MONEYS IN THE FUND MAY NOT BE TRANSFERRED OR REVERT  
18 TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND TO BE  
19 USED FOR THE PURPOSES SPECIFIED IN SUBSECTION (C) OF THIS SECTION.

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