

HOUSE BILL 832

Unofficial Copy  
L5

1998 Regular Session  
(81r0167)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by Prince George's County and Montgomery County Delegations

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **WSSC - System Development Charge, Compensation, and Hookups - Task**  
3 **Force on Privatization**  
4 **PG/MC 4-98**

5 FOR the purpose of altering the schedule for the payment of a system development  
6 charge to the Washington Suburban Sanitary Commission (WSSC) for certain  
7 properties; establishing a maximum system development charge per fixture unit  
8 by a certain date; allowing for certain exceptions; limiting the amount of a  
9 certain exemption; establishing a maximum system development charge based on  
10 the number of toilets per dwelling; authorizing a change in the maximum system  
11 development charge based on the number of toilets per dwelling; limiting certain  
12 increases in WSSC employee compensation in a certain manner; allowing a  
13 property owner not to connect to certain water or sewerage services under certain  
14 circumstances, subject to certain exceptions; requiring certain funds to be  
15 deposited into a certain special fund; defining a term; making a stylistic change;  
16 providing for the application of a portion of this Act; establishing a Task Force on

1 Privatization of the Washington Suburban Sanitary Commission; specifying the  
 2 membership, purposes, duties, and responsibilities of the Task Force; requiring  
 3 the Task Force to hire an independent consultant for certain purposes; requiring  
 4 the Task Force to prepare and submit certain reports to certain persons by  
 5 certain dates; providing for the termination of this Act; and generally relating to  
 6 the system development charge by, and the study of privatization of the  
 7 Washington Suburban Sanitary Commission.

8 BY adding to  
 9 Article 29 - Washington Suburban Sanitary District  
 10 Section 1-204(g) and 18-108  
 11 Annotated Code of Maryland  
 12 (1997 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,  
 14 Article 29 - Washington Suburban Sanitary District  
 15 Section 3-104 and 6-113  
 16 Annotated Code of Maryland  
 17 (1997 Replacement Volume and 1997 Supplement)

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

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

21 1-204.

22 (G) (1) THE MAXIMUM INCREASE IN EMPLOYEE COMPENSATION IN A  
 23 BUDGET ADOPTED UNDER THIS SECTION, FOR BOTH SALARIES AND WAGES,  
 24 INCLUDING BOTH MERIT INCREASES AND COST-OF-LIVING ADJUSTMENTS, MAY  
 25 NOT EXCEED THE INCREASES, IF ANY, INCLUDING BOTH MERIT INCREASES AND  
 26 COST-OF-LIVING ADJUSTMENTS, AUTHORIZED FOR STATE EMPLOYEES FOR THE  
 27 SAME FISCAL YEAR.

28 (2) THIS SUBSECTION DOES NOT APPLY TO AN EMPLOYEE WHO:

29 (I) IS EMPLOYED UNDER A COLLECTIVE BARGAINING  
 30 AGREEMENT; OR

31 (II) RECEIVES A BASE SALARY OR ANNUALIZED WAGE OF LESS  
 32 THAN \$25,000 PER YEAR.

33 3-104.

34 (a) (1) If property abuts on a street or right-of-way in which a water main or  
 35 sanitary sewer is installed, the WSSC shall provide a service connection from the  
 36 water main or sanitary sewer to the property line of the abutting lot.

1           (2)     The service connection shall be constructed by and at the expense of  
2 the WSSC and shall be paid for in accordance with the provisions of this article.

3           (3)     When a water main or sewer is declared by the WSSC as complete and  
4 ready for the delivery of water or the reception of sewage, after due notice every  
5 abutting property owner [shall] MAY hook up [all] spigots or hydrants, toilets, and  
6 waste drains with the water main or [sewer] SEWER, AS APPROPRIATE, within the  
7 time set by the WSSC.

8           (4)     If the fixtures described in paragraph (3) of this subsection do not  
9 exist, or if they are judged by the WSSC as improper or inadequate, the property owner  
10 shall install satisfactory equipment.

11          (5)     All cesspools, sink drains, and privies and wells that are polluted or a  
12 menace to health shall be abandoned and left in such a way that they cannot again be  
13 used nor injuriously affect the public health. The WSSC shall determine the  
14 disposition of these facilities.

15          (b)     (1)     After the construction or acquisition of a water main or sewer, the  
16 WSSC may order a property owner or occupant who refuses to connect to a water main  
17 or sewer or both to hook up to either the water main or sewer or both if:

18                   (i)     A condition exists which appears to be a menace to the health of  
19 the occupants of the property or the occupants of nearby or adjoining property;

20                   (ii)     The property on which the condition exists abuts the water main  
21 or sewer;

22                   (iii)    The WSSC gives the owner or occupant 10 days' notice and an  
23 opportunity to be heard; and

24                   (iv)     The WSSC determines the condition to be a menace to the health  
25 of the occupants of the property or the occupants of nearby or adjoining property.

26          (2)     If the WSSC determines that a condition exists as provided in  
27 paragraph (1) of this subsection, the WSSC shall pass an order which requires that the  
28 property hookup be made in not less than 30 or more than 90 days of the issuance of  
29 the order.

30          (c)     (1)     A person may not refuse to comply with the order or violate any of the  
31 other provisions of this section.

32                   (2)     As provided in the Administrative Procedure Act, the owner or  
33 occupant of the property may appeal the decision of the WSSC to pass an order which  
34 requires the connection to be made.

35 6-113.

36          (a)     (1)     In this section the following words have the meanings indicated.

1           (2)       "Fixture unit" means the assigned value for a particular plumbing  
2 fixture, or group of plumbing fixtures, as set forth in the WSSC plumbing and gas  
3 fitting regulations, standardized with a common lavatory having an assigned value of  
4 1 based on its probable discharge into the drainage system or hydraulic demand on the  
5 water supply.

6           (3)       "New service" means:

7                   (i)       A first time connection of a property to the WSSC water or sewer  
8 system; or

9                   (ii)       A new connection or increased water meter size for a property  
10 previously or currently served by the WSSC if the new connection or increased meter  
11 size is needed because of a change in the use of the property or an increase in demand  
12 for service at the property.

13           (4)       "TOILET" MEANS A WATER CLOSET, AS SET FORTH IN THE WSSC  
14 PLUMBING AND GAS FITTING REGULATIONS.

15       (b)       (1)       Subject to the provisions of this section, in addition to any other  
16 charges authorized under this article, the WSSC may impose a system development  
17 charge that SHALL BE PAID BY an applicant for new service [shall pay at the time of  
18 filing a plumbing permit application].

19           (2)       THE SYSTEM DEVELOPMENT CHARGE SHALL BE PAID AS FOLLOWS:

20                   (I)       FOR RESIDENTIAL PROPERTIES:

21                           1.       50% AT THE TIME THE APPLICATION IS FILED; AND

22                           2.       50% WITHIN 12 MONTHS AFTER THE DATE ON WHICH A  
23 PLUMBING PERMIT APPLICATION IS FILED WITH THE COMMISSION OR ON TRANSFER  
24 OF TITLE TO THE PROPERTY, WHICHEVER OCCURS FIRST; AND

25                   (II)       FOR OTHER PROPERTIES, 100% AT THE TIME THE PLUMBING  
26 PERMIT APPLICATION IS FILED.

27           (3)       AT THE TIME OF THE FILING OF THE PLUMBING PERMIT  
28 APPLICATION, THE APPLICANT SHALL DEPOSIT WITH THE WSSC SECURITY IN THE  
29 FORM OF AN IRREVOCABLE LETTER OF CREDIT OR A FINANCIAL GUARANTY BOND  
30 OR IN A FORM ESTABLISHED AND APPROVED BY THE WSSC UNDER ITS RULES AND  
31 REGULATIONS.

32       (c)       (1)       (i)       The Montgomery County Council and the Prince George's  
33 County Council shall meet annually to discuss and approve the amount of the system  
34 development charge.

35                   (ii)       The amount of the charge for a particular property:

1 1. [shall] SHALL be based on the number of plumbing  
 2 fixtures and the assigned values for those fixtures as set forth in the WSSC plumbing  
 3 and gas fitting regulations;

4 2. EXCEPT AS PROVIDED IN ITEM 3 OF THIS SUBPARAGRAPH,  
 5 ON OR AFTER JULY 1, 1998, MAY NOT EXCEED \$200 PER FIXTURE UNIT;

6 3. FOR RESIDENTIAL PROPERTIES WITH FIVE OR FEWER  
 7 TOILETS, SHALL BE BASED ON THE NUMBER OF TOILETS PER DWELLING UNIT AND:

8 A. FOR EACH APARTMENT UNIT, NOT EXCEED \$2,000;

9 B. FOR DWELLINGS WITH ONE OR TWO TOILETS, MAY NOT  
 10 EXCEED \$3,000;

11 C. FOR DWELLINGS WITH THREE TO FOUR TOILETS, MAY  
 12 NOT EXCEED \$5,000; OR

13 D. FOR DWELLINGS WITH FIVE TOILETS, MAY NOT EXCEED  
 14 \$7,000; AND

15 4. FOR DWELLINGS WITH MORE THAN FIVE TOILETS, SHALL  
 16 BE CALCULATED ON A FIXTURE UNIT BASIS.

17 (iii) When establishing the charge under this section, the County  
 18 Councils shall identify and consider the actual cost of construction of WSSC facilities.

19 (iv) When establishing the charge under this section, under criteria  
 20 established jointly and agreed to by the County Councils, the County Councils:

21 1. Shall grant a full or partial exemption from the charge for  
 22 public sponsored or affordable housing as jointly defined and agreed upon by the  
 23 County Councils; [and]

24 2. May grant a full or partial exemption from the charge for  
 25 revitalization projects; AND

26 3. MAY GRANT A FULL OR PARTIAL EXEMPTION FROM THE  
 27 CHARGE, UNDER CONDITIONS PRESCRIBED BY THE COUNTY COUNCILS, FOR:

28 A. RESIDENTIAL PROPERTY LOCATED IN A MIXED  
 29 RETIREMENT DEVELOPMENT AS DEFINED IN THE ZONING ORDINANCE OF PRINCE  
 30 GEORGE'S COUNTY;

31 B. RESIDENTIAL PROPERTY LOCATED IN A PLANNED  
 32 RETIREMENT COMMUNITY AS DEFINED IN THE ZONING ORDINANCE OF  
 33 MONTGOMERY COUNTY;

34 C. OTHER ELDERLY HOUSING; OR

1 D. PROPERTIES USED FOR BIOTECHNOLOGY RESEARCH AND  
2 DEVELOPMENT, OR MANUFACTURING.

3 (v) [The charge may not exceed \$160 per fixture unit.] ON JULY 1,  
4 1999, AND JULY 1 OF EACH SUCCEEDING YEAR, THE MAXIMUM CHARGE, AS  
5 ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, MAY BE CHANGED BY AN  
6 AMOUNT EQUAL TO THE PRIOR CALENDAR YEAR'S CHANGE IN THE CONSUMER  
7 PRICE INDEX PUBLISHED BY THE BUREAU OF LABOR STATISTICS OF THE UNITED  
8 STATES DEPARTMENT OF LABOR FOR URBAN WAGE EARNERS AND CLERICAL  
9 WORKERS FOR ALL ITEMS FOR THE WASHINGTON, D.C. METROPOLITAN AREA, OR  
10 THE SUCCESSOR INDEX.

11 (2) If the charge established by the County Councils is less than the  
12 amount necessary to recover the full cost of constructing growth related facilities, the  
13 WSSC shall identify the portion of the cost of that growth that will be paid by current  
14 ratepayers as:

15 (i) A percentage of any rate increase; and

16 (ii) The annual monetary amount on a typical residential customer's  
17 annual water and sewer bill.

18 (3) If the County Councils do not agree on the amount of the charge, the  
19 charge imposed during the previous year shall continue in effect for the following fiscal  
20 year.

21 (4) If the County Councils have not previously agreed on any system  
22 development charge, a system development charge may not be imposed during that  
23 fiscal year.

24 (5) (i) Before July 1, 1994, the WSSC may not impose a system  
25 development charge in an amount greater than 50% of the charge established by the  
26 County Councils under this subsection.

27 (ii) Before July 1, 1995, the WSSC may not impose a system  
28 development charge greater than 75% of the charge established by the County Councils  
29 under this subsection.

30 [(d) (1) In this subsection, "small builder" means a builder who applies for  
31 and receives not more than 15 plumbing permits for residential properties from the  
32 WSSC during a single calendar year.

33 (2) Subject to the provisions of paragraph (3) of this subsection, a small  
34 builder may pay the system development charge in two payments as follows:

35 (i) One-half at the time of filing the plumbing permit application;  
36 and

37 (ii) The remaining one-half within 12 months after the first  
38 payment or prior to the transfer of title to the property, whichever occurs first.

1                   (3)     At the time of the first payment under this subsection, the small  
2 builder shall deposit with the WSSC security for the second payment in an amount  
3 and form established and approved by the WSSC under its rules and regulations.]

4     ~~[(e)]~~   (D)   (1)   (I)     THE WSSC SHALL DEPOSIT ALL FUNDS COLLECTED UNDER  
5 THE SYSTEM DEVELOPMENT CHARGE INTO THE SYSTEM DEVELOPMENT CHARGE  
6 FUND.

7                   (II)    THE SYSTEM DEVELOPMENT CHARGE FUND IS A SPECIAL  
8 FUND WHICH MAY NOT REVERT TO GENERAL FUNDS OF THE WSSC.

9                   (2)     The WSSC may only use the funds collected under the system  
10 development charge to:

11                   (i)     Pay for new treatment, transmission, and collection facilities,  
12 the need for which is directly attributable to the addition of new service, and the  
13 construction of which began after July 1, 1993; or

14                   (ii)    Amortize any bond that is issued in connection with the  
15 construction of those new facilities.

16                   ~~[(2)]~~   (3)     Other costs of enhancement, maintenance, or environmental  
17 regulation on existing or new systems shall be borne equally by all [rate payers]  
18 RATEPAYERS.

19     ~~[(f)]~~   (E)   (1)     The WSSC may allow a developer to design and construct any  
20 on-site or off-site facilities necessary for a project of the developer, as long as those  
21 facilities are in the WSSC Capital Improvement Program and the 10-year  
22 Comprehensive Water Supply and Sewerage System Plan adopted by one of the County  
23 Councils, and are designed, constructed, and inspected in accordance with:

24                   (i)     The standards utilized by the WSSC; and

25                   (ii)    All applicable laws, regulations, and written policies of the  
26 WSSC.

27                   (2)     After the WSSC approves facilities constructed by a developer under  
28 this subsection, the WSSC shall:

29                   (i)     Accept the facilities as part of the WSSC system; and

30                   (ii)    Subject to the provisions of paragraph (3) of this subsection,  
31 grant the developer a credit against any charge imposed under this section in an  
32 amount equal to the cost of constructing those facilities.

33                   (3)     The internal auditor of the WSSC shall review and approve the costs  
34 incurred by the developer.

35                   (4)     The WSSC and the developer shall enter into an agreement  
36 incorporating the provisions of this subsection.

1           (5)     *If the WSSC rejects a developer's request to design and construct*  
 2 *facilities under this subsection, the WSSC shall submit to the developer a written*  
 3 *explanation of the reasons for the rejection.*

4           (6)     *The WSSC shall submit a report at the end of each fiscal year to the*  
 5 *House and Senate Delegations of both counties and to the County Councils. The report*  
 6 *shall state the number of requests made by developers under this subsection including*  
 7 *the number of acceptances and rejections by the WSSC and the justification for any*  
 8 *rejections.*

9 18-108.

10       (A)     THERE IS A TASK FORCE ON PRIVATIZATION OF THE WASHINGTON  
 11 SUBURBAN SANITARY COMMISSION.

12       (B)     THE TASK FORCE CONSISTS OF THE FOLLOWING ~~43~~ 15 MEMBERS:

13           (1)     ONE MEMBER OF THE PRINCE GEORGE'S COUNTY DELEGATION OF  
 14 THE HOUSE OF DELEGATES OF MARYLAND, APPOINTED BY THE CHAIRMAN OF THAT  
 15 DELEGATION;

16           (2)     ONE MEMBER OF THE MONTGOMERY COUNTY DELEGATION OF THE  
 17 HOUSE OF DELEGATES OF MARYLAND, APPOINTED BY THE CHAIRMAN OF THAT  
 18 DELEGATION;

19           (3)     ONE MEMBER OF THE PRINCE GEORGE'S COUNTY DELEGATION OF  
 20 THE SENATE OF MARYLAND, APPOINTED BY THE CHAIRMAN OF THAT DELEGATION;

21           (4)     ONE MEMBER OF THE MONTGOMERY COUNTY DELEGATION OF THE  
 22 SENATE OF MARYLAND, APPOINTED BY THE CHAIRMAN OF THAT DELEGATION;

23           (5)     THE COUNTY EXECUTIVES OF PRINCE GEORGE'S COUNTY AND  
 24 MONTGOMERY COUNTY, OR THEIR RESPECTIVE DESIGNEES;

25           (6)     ONE REPRESENTATIVE EACH OF THE COUNTY COUNCILS OF PRINCE  
 26 GEORGE'S COUNTY AND MONTGOMERY COUNTY, SELECTED BY THEIR RESPECTIVE  
 27 COUNCILS;

28           (7)     THE GENERAL MANAGER OF THE WSSC, OR THE GENERAL  
 29 MANAGER'S DESIGNEE;

30           (8)     ONE COMMISSIONER OF THE WSSC APPOINTED BY THE COUNTY  
 31 EXECUTIVE OF PRINCE GEORGE'S COUNTY;

32           (9)     ONE COMMISSIONER OF THE WSSC APPOINTED BY THE COUNTY  
 33 EXECUTIVE OF MONTGOMERY COUNTY; AND

34           ~~(8)~~   (10)    TWO MEMBERS AT LARGE SELECTED BY EACH OF THE COUNTY  
 35 EXECUTIVES AND CONFIRMED BY THE RESPECTIVE COUNTY COUNCILS.

1 (C) TO THE EXTENT PRACTICABLE, THE MEMBERS OF THE TASK FORCE SHALL  
2 BE SELECTED TO REPRESENT THE GREATEST DIVERSITY OF INTERESTS IN THE  
3 FUNCTIONS AND OPERATIONS OF THE WSSC, AND THE GREATEST EXPERTISE IN  
4 PUBLIC UTILITY RATE REGULATION, ACCOUNTING, BUSINESS MANAGEMENT, AND  
5 ANALYSIS OF OPERATIONAL SYSTEMS OF PUBLIC UTILITIES.

6 (D) THE COUNTY EXECUTIVES OF PRINCE GEORGE'S COUNTY AND  
7 MONTGOMERY COUNTY SHALL EACH SELECT ONE OF THE JOINT CHAIRMEN OF THE  
8 TASK FORCE.

9 (E) (1) THE TASK FORCE SHALL CONDUCT PUBLIC MEETINGS IN THE  
10 SANITARY DISTRICT:

11 (I) AT LEAST ONCE EACH MONTH; AND

12 (II) AT OTHER TIMES AT THE CALL OF THE JOINT CHAIRMEN OF  
13 THE TASK FORCE.

14 (2) THE TASK FORCE SHALL PUBLISH NOTICE OF EACH PUBLIC  
15 MEETING ONCE EACH WEEK FOR 2 CONSECUTIVE WEEKS IMMEDIATELY PRECEDING  
16 THE MEETING IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE  
17 SANITARY DISTRICT AND IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION  
18 IN PRINCE GEORGE'S COUNTY AND IN MONTGOMERY COUNTY. THE MEETING NOTICE  
19 SHALL INCLUDE A SUMMARY OF THE PROPOSED AGENDA FOR THE MEETING.

20 (F) (1) THE TASK FORCE SHALL STUDY AND REPORT ON THE ADVANTAGES  
21 AND DISADVANTAGES OF PRIVATIZING EACH OF THE FUNCTIONS OF THE WSSC,  
22 FROM THE STANDPOINTS OF THE RESIDENTIAL AND COMMERCIAL RATEPAYERS,  
23 THE COUNTY AND MUNICIPAL GOVERNMENTS, AND THE ENTITIES REGULATED BY  
24 THE WSSC, AND THE TAXPAYERS IN THE SANITARY DISTRICT.

25 (2) THE STUDY SHALL INCLUDE:

26 (I) ANALYSES OF THE ORGANIZATION AND FACILITIES USED BY  
27 THE WSSC TO PROVIDE WATER, SEWERAGE, AND ANCILLARY SERVICES;

28 (II) ANALYSES OF OPTIONS FOR PRIVATE SECTOR INVOLVEMENT  
29 FOR PROVIDING WATER AND SEWER SERVICES IN THE SANITARY DISTRICT;

30 ~~(III)~~ (III) ASSESSMENT OF OPTIONS FOR INCREASING THE ROLE OF  
31 THE PRIVATE SECTOR IN WSSC OPERATIONS AND FACILITIES OR PORTIONS OF  
32 THOSE OPERATIONS AND FACILITIES, INCLUDING CONTRACTING OR FRANCHISING  
33 CERTAIN SERVICES THROUGH PRIVATE ENTITIES, SELLING PORTIONS OF WSSC  
34 OPERATIONS AND FACILITIES TO PRIVATE ENTITIES, AND SEPARATING WSSC  
35 OPERATIONS AND FACILITIES IN PRINCE GEORGE'S AND MONTGOMERY COUNTIES;

36 (IV) ASSESSMENT OF OPTIONS FOR TURNING PORTIONS OF  
37 OPERATIONS AND FACILITIES OVER TO PRIVATE ENTITIES, INCLUDING  
38 CONTRACTING OUT AND FRANCHISING SERVICES TO INCREASE OPPORTUNITIES FOR  
39 PRIVATE SECTOR INVOLVEMENT IN PROVIDING WATER AND SEWER SERVICES;

1 ~~(V)~~ (V) ASSESSMENT OF OPTIONS FOR MAXIMIZING MINORITY  
2 BUSINESS PARTICIPATION IN THE PRIVATIZATION OF WATER AND SEWER SERVICES;

3 ~~(III)~~ (VI) DEVELOPMENT OF APPROPRIATE RATE MAKING AND  
4 PRICING MECHANISMS FOR WATER, SEWERAGE, AND ANCILLARY SERVICES  
5 PROVIDED IN THE SANITARY DISTRICT THROUGH PRIVATIZATION OPTIONS UNDER  
6 SUBPARAGRAPH (II) OF THIS PARAGRAPH;

7 ~~(IV)~~ (VII) CONSIDERATIONS AND OPTIONS FOR GOVERNMENTAL  
8 OVERSIGHT OF PRIVATIZED WATER, SEWERAGE, AND ANCILLARY SERVICES IN THE  
9 SANITARY DISTRICT;

10 ~~(V)~~ (VIII) ASSESSMENT OF THE TRANSFER OF REGULATORY AND  
11 ANCILLARY SERVICES CURRENTLY PROVIDED BY THE WSSC TO LOCAL  
12 GOVERNMENTS INCLUDING AN ASSESSMENT OF:

13 1. THE ROLE AND FUNCTIONS OF THE WSSC, PRINCE  
14 GEORGE'S COUNTY, AND MONTGOMERY COUNTY, TO IDENTIFY AREAS WHERE  
15 OPERATIONAL FUNCTIONS AMONG THE ENTITIES ARE SIMILAR OR OVERLAP;

16 2. THE FEASIBILITY OF COMBINING IDENTIFIED FUNCTIONS  
17 UNDER A SINGLE ENTITY FOR IMPROVED EFFICIENCY OR ECONOMIES OF SCALE;

18 3. THE FEASIBILITY OF RESTRUCTURING WSSC SERVICES  
19 AND RESPONSIBILITIES BY COUNTY; AND

20 4. THE POSSIBLE RESTRUCTURING, DECENTRALIZATION, OR  
21 REASSIGNMENT OF ANY FUNCTIONS PERFORMED BY ANY ENTITY THAT WOULD  
22 RESULT IN IMPROVED EFFICIENCY AND SAVINGS;

23 ~~(VI)~~ (IX) ASSESSMENT OF DIRECT AND INDIRECT BENEFITS AND  
24 COSTS OF PRIVATIZATION OPTIONS TO CLASSES OF RATEPAYERS AND OTHER  
25 PERSONS, INCLUDING RESIDENTIAL CUSTOMERS, SMALL AND LARGE COMMERCIAL  
26 AND INDUSTRIAL CUSTOMERS, LOCAL GOVERNMENTS AS CUSTOMERS AND SERVICE  
27 PROVIDERS, AND TAXPAYERS; AND

28 (X) CONSIDERATION AND ASSESSMENT OF OPTIONS FOR GROWTH  
29 ALLOCATION AND PRIORITIZATION OF NEW PROJECTS FOR OPERATIONS AND  
30 FACILITIES OR PORTIONS OF OPERATIONS AND FACILITIES TURNED OVER TO  
31 PRIVATE ENTITIES OR LOCAL GOVERNMENTS; AND

32 ~~(VII)~~ (XI) DEVELOPMENT OF RECOMMENDATIONS FOR  
33 PRIVATIZING WATER, SEWERAGE, AND ANCILLARY SERVICES OF THE WSSC IN A  
34 MANNER DESIGNED TO PROTECT THE INTERESTS OF CONSUMERS IN HEALTHY,  
35 SAFE, AND COST-EFFECTIVE SERVICES AS WELL AS THE CONTINUED ECONOMIC  
36 VIABILITY OF ENTITIES PROVIDING THOSE SERVICES IN THE PRIVATE SECTOR.

37 (3) EACH RECOMMENDATION SHALL CONTAIN A COST AND BENEFIT  
38 ANALYSIS AND AN ENVIRONMENTAL ASSESSMENT. THE COST AND BENEFIT  
39 ANALYSIS SHALL INCLUDE THE IMPACT OF EACH RECOMMENDATION ON

1 RESIDENTIAL RATEPAYERS, COMMERCIAL RATEPAYERS, COUNTY AND MUNICIPAL  
 2 GOVERNMENTS, ENTITIES REGULATED BY THE WSSC, CURRENT WSSC EMPLOYEES,  
 3 TAXPAYERS IN THE SANITARY DISTRICT, AND THE EXISTING FINANCING STRUCTURE  
 4 OF WSSC FACILITIES.

5 ~~(3)~~ (4) IN THE CONDUCT OF ITS STUDY AND THE DEVELOPMENT OF  
 6 ITS RECOMMENDATIONS, THE TASK FORCE SHALL MEET WITH CONSUMERS AND  
 7 WITH ENTITIES POTENTIALLY AFFECTED BY THE PRIVATIZATION OF WATER,  
 8 SEWERAGE, AND ANCILLARY SERVICES OF THE WSSC AND BY ANY RECOMMENDED  
 9 RESTRUCTURING OF THE WSSC AND ITS FUNCTIONS.

10 (G) (1) THE TASK FORCE SHALL HIRE AN INDEPENDENT CONSULTANT WITH  
 11 EXPERTISE IN FINANCIAL OPERATIONS AND MANAGEMENT AND VALUATION OF  
 12 PUBLIC UTILITIES.

13 (2) THE CONSULTANT SHALL EXAMINE AREAS OF THE WSSC IT  
 14 CONSIDERS APPROPRIATE. IF THE CONSULTANT CONSIDERS IT APPROPRIATE TO  
 15 EXAMINE AREAS OUTSIDE OF SUBSECTION (F) OF THIS SECTION, THEN THE TASK  
 16 FORCE SHALL EXTEND ITS STUDY TO INCLUDE THE AREAS THAT THE CONSULTANT  
 17 CONSIDERS APPROPRIATE.

18 ~~(H) THE TASK FORCE SHALL PROVIDE AN INTERIM REPORT OF ITS ACTIVITIES~~  
 19 ~~TO THE COUNTY EXECUTIVES OF PRINCE GEORGE'S COUNTY AND MONTGOMERY~~  
 20 ~~COUNTY, AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE~~  
 21 ~~HOUSE AND SENATE DELEGATIONS OF THOSE COUNTIES, ON OR BEFORE JANUARY 1,~~  
 22 ~~1999.~~

23 ~~(2)~~ THE TASK FORCE SHALL PROVIDE ITS FINAL REPORT, INCLUDING  
 24 ALL RECOMMENDATIONS, TO THE COUNTY EXECUTIVES OF PRINCE GEORGE'S  
 25 COUNTY AND MONTGOMERY COUNTY, AND, SUBJECT TO § 2-1246 OF THE STATE  
 26 GOVERNMENT ARTICLE, TO THE HOUSE AND SENATE DELEGATIONS OF THOSE  
 27 COUNTIES, ON OR BEFORE ~~JANUARY 1, 2000~~ JULY 1, 1999.

28 ~~(H)~~ (I) THE WSSC AND ALL OTHER STATE AND LOCAL AGENCIES SHALL  
 29 COOPERATE WITH AND PROVIDE ASSISTANCE AS NEEDED TO THE TASK FORCE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the maximum allowable  
 31 exemption which the County Councils may approve under Article 29, § 6-113(c)(1)(iv)3  
 32 of the Code, as enacted by this Act, is the amount of the increase in the system  
 33 development charge under this Act above the charge, based on \$160 per fixture, that  
 34 the properties would have been assessed prior to the effective date of this Act.

35 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take  
 36 effect July 1, 1998. It shall remain effective for a period of ~~2 years~~ 18 months and, at  
 37 the end of ~~June 30, 2000~~ December 31, 1999, with no further action required by the  
 38 General Assembly, this Act shall be abrogated and of no further force and effect.

