

HOUSE BILL 40

Unofficial Copy  
M3

2000 Regular Session  
0lr0286  
CF 0lr0478

(PRE-FILED)

---

By: **Delegates D'Amato, Clagett, Busch, Rosso, Cadden, Rzepkowski,  
Conway, Hubbard, Billings, Pitkin, Barkley, Walkup, James, Conroy,  
Cryor, Rosenberg, Boschert, Sophocleus, Schisler, Moe, Hecht, Bobo,  
Frush, Grosfeld, C. Davis, Howard, Leopold, and Cane**

Requested: June 30, 1999

Introduced and read first time: January 12, 2000

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Dredge Spoil - Beneficial Placement**

3 FOR the purpose of prohibiting a person from dumping, depositing, or scattering  
4 certain material excavated or dredged from certain areas of the Chesapeake Bay  
5 into or onto the area known as Site 104 before a certain date; creating a certain  
6 Commission; providing for the membership, chairperson, quorum, meetings, and  
7 staff of the Commission; requiring the Commission to provide certain reports by  
8 certain dates; and generally relating to the beneficial placement of dredge spoil.

9 BY adding to  
10 Article - Environment  
11 Section 5-1102(e) and 5-1108  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 1999 Supplement)

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

16 **Article - Environment**

17 5-1102.

18 (E) BEFORE FEBRUARY 1, 2002, A PERSON MAY NOT DUMP, DEPOSIT, OR  
19 SCATTER ANY EARTH, ROCK, SOIL, WASTE MATTER, MUCK, OR OTHER MATERIAL  
20 EXCAVATED OR DREDGED FROM THE CHESAPEAKE BAY OR ITS TIDAL TRIBUTARIES  
21 INTO OR ONTO THE AREA OF THE BOTTOMLANDS OR WATERS OF THE CHESAPEAKE  
22 BAY KNOWN AS SITE 104.

1 5-1108.

2 (A) THERE SHALL BE AN OVERSIGHT COMMISSION ON CHESAPEAKE BAY  
3 DUMPING.

4 (B) THE COMMISSION SHALL CONVENE BY AUGUST 1, 2000 TO INVESTIGATE  
5 ALTERNATIVE LAND-BASED SITES TO PLACE DREDGE SPOILS AND TO INVESTIGATE  
6 SOURCES OF FEDERAL FUNDS TO OFFSET ANY COST DIFFERENTIAL BETWEEN  
7 LAND-BASED PLACEMENT AND WATER-BASED PLACEMENT.

8 (C) (1) THE COMMISSION SHALL BE COMPOSED OF 15 MEMBERS.

9 (2) THE GOVERNOR SHALL APPOINT FIVE MEMBERS, INCLUDING:

10 (I) A REPRESENTATIVE FROM THE CHESAPEAKE BAY  
11 FOUNDATION;

12 (II) A REPRESENTATIVE FROM THE MARYLAND WATERMEN'S  
13 ASSOCIATION;

14 (III) TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS  
15 SUBSECTION; AND

16 (IV) ONE ADDITIONAL MEMBER.

17 (3) THE PRESIDENT OF THE SENATE SHALL APPOINT FIVE MEMBERS,  
18 INCLUDING:

19 (I) A MEMBER OF THE BUDGET AND TAXATION COMMITTEE WHO  
20 REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY;

21 (II) A MEMBER OF THE ECONOMIC AND ENVIRONMENTAL AFFAIRS  
22 COMMITTEE WHO REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY;

23 (III) TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS  
24 SUBSECTION; AND

25 (IV) ONE ADDITIONAL MEMBER.

26 (4) THE SPEAKER OF THE HOUSE SHALL APPOINT FIVE MEMBERS,  
27 INCLUDING:

28 (I) A MEMBER OF THE APPROPRIATIONS COMMITTEE WHO  
29 REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY;

30 (II) A MEMBER OF THE ENVIRONMENTAL MATTERS COMMITTEE  
31 WHO REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY;

32 (III) TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS  
33 SUBSECTION; AND

1 (IV) ONE ADDITIONAL MEMBER.

2 (5) THE MEMBERSHIP OF THE COMMISSION SHALL INCLUDE:

3 (I) A COUNTY OFFICIAL FROM:

4 1. ANNE ARUNDEL COUNTY;

5 2. HARFORD COUNTY;

6 3. KENT COUNTY; AND

7 4. QUEEN ANNE'S COUNTY;

8 (II) A REPRESENTATIVE FROM THE MARITIME INDUSTRY; AND

9 (III) A REPRESENTATIVE FROM AN ENVIRONMENTAL  
10 ORGANIZATION.

11 (D) (1) THE MEMBERS OF THE COMMISSION SHALL SELECT A CHAIRPERSON  
12 FROM THE MEMBERSHIP OF THE COMMISSION.

13 (2) EIGHT MEMBERS OF THE COMMISSION SHALL CONSTITUTE A  
14 QUORUM.

15 (3) THE COMMISSION SHALL DETERMINE THE TIMES AND PLACES OF  
16 ITS MEETINGS.

17 (4) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL STAFF THE  
18 COMMISSION.

19 (E) ON OR BEFORE JANUARY 1, 2001, THE COMMISSION SHALL SUBMIT AN  
20 INTERIM REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY. THE REPORT SHALL  
21 INCLUDE INFORMATION ABOUT SPECIFIC PLACEMENT OPTIONS SUCH AS TIME  
22 FRAMES AND ASSOCIATED COSTS.

23 (F) ON OR BEFORE JANUARY 1, 2002, THE COMMISSION SHALL SUBMIT THE  
24 FINAL REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY. THE REPORT SHALL  
25 INCLUDE INFORMATION ABOUT SPECIFIC PLACEMENT OPTIONS SUCH AS TIME  
26 FRAMES AND ASSOCIATED COSTS.

27 (G) AFTER JANUARY 1, 2002, THE COMMISSION MAY SUBMIT A REPORT OR  
28 OTHER INFORMATION TO THE GOVERNOR AND GENERAL ASSEMBLY THAT THE  
29 COMMISSION DEEMS NECESSARY.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 June 1, 2000.