Unofficial Copy M3 2000 Regular Session 0lr0478 CF 0lr0286

(PRE-FILED)

By: Senator Astle

Requested: September 9, 1999

Introduced and read first time: January 12, 2000 Assigned to: Economic and Environmental Affairs

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
- 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.
- 23 5-1108.
- 24 (A) THERE SHALL BE AN OVERSIGHT COMMISSION ON CHESAPEAKE BAY
- 25 DUMPING.
- 26 (B) THE COMMISSION SHALL CONVENE BY AUGUST 1, 2000 TO INVESTIGATE
- 27 ALTERNATIVE LAND-BASED SITES TO PLACE DREDGE SPOILS AND TO INVESTIGATE

1 SOURCES OF FEDERAL FUNDS TO OFFSET ANY COST DIFFERENTIAL BETWEEN 2 LAND-BASED PLACEMENT AND WATER-BASED PLACEMENT. 3 (C) (1) THE COMMISSION SHALL BE COMPOSED OF 15 MEMBERS. 4 THE GOVERNOR SHALL APPOINT FIVE MEMBERS, INCLUDING: (2) A REPRESENTATIVE FROM THE CHESAPEAKE BAY (I) 5 6 FOUNDATION; (II)A REPRESENTATIVE FROM THE MARYLAND WATERMEN'S 8 ASSOCIATION; (III) TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS 10 SUBSECTION; AND 11 (IV) ONE ADDITIONAL MEMBER. THE PRESIDENT OF THE SENATE SHALL APPOINT FIVE MEMBERS, 12 (3) 13 INCLUDING: A MEMBER OF THE BUDGET AND TAXATION COMMITTEE WHO (I) 15 REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY: A MEMBER OF THE ECONOMIC AND ENVIRONMENTAL AFFAIRS 16 (II)17 COMMITTEE WHO REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY; (III) TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS 18 19 SUBSECTION; AND 20 (IV) ONE ADDITIONAL MEMBER. THE SPEAKER OF THE HOUSE SHALL APPOINT FIVE MEMBERS. 21 22 INCLUDING: A MEMBER OF THE APPROPRIATIONS COMMITTEE WHO 23 (I)24 REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY; A MEMBER OF THE ENVIRONMENTAL MATTERS COMMITTEE 25 (II)26 WHO REPRESENTS A COUNTY CONTIGUOUS TO THE CHESAPEAKE BAY; TWO OF THE MEMBERS DESCRIBED IN PARAGRAPH (5) OF THIS 27 (III)28 SUBSECTION; AND 29 (IV) ONE ADDITIONAL MEMBER. THE MEMBERSHIP OF THE COMMISSION SHALL INCLUDE: 30 (5) 31 (I) A COUNTY OFFICIAL FROM: 32 1. ANNE ARUNDEL COUNTY;

| , | | | SENATE DILL 20 |
|------------------------------|--------|--------|--|
| 1 | | 2. | HARFORD COUNTY; |
| 2 | | 3. | KENT COUNTY; AND |
| 3 | | 4. | QUEEN ANNE'S COUNTY; |
| 4 | (II) | A REPR | RESENTATIVE FROM THE MARITIME INDUSTRY; AND |
| 5 6 ORGANIZATION. | (III) | A REPR | RESENTATIVE FROM AN ENVIRONMENTAL |
| 7 (D) (1) 8 FROM THE MEMB | | | S OF THE COMMISSION SHALL SELECT A CHAIRPERSON COMMISSION. |
| 9 10 QUORUM. (2) | EIGHT | MEMBE | ERS OF THE COMMISSION SHALL CONSTITUTE A |
| 11 (3) 12 ITS MEETINGS. | THE CO | OMMISS | SION SHALL DETERMINE THE TIMES AND PLACES OF |
| 13 (4) 14 COMMISSION. | THE DI | EPARTM | MENT OF LEGISLATIVE SERVICES SHALL STAFF THE |
| * * | | | ARY 1, 2001, THE COMMISSION SHALL SUBMIT AN |

- 17 INCLUDE INFORMATION ABOUT SPECIFIC PLACEMENT OPTIONS SUCH AS TIME
- 18 FRAMES AND ASSOCIATED COSTS.
- 19 ON OR BEFORE JANUARY 1, 2002, THE COMMISSION SHALL SUBMIT THE (F)
- 20 FINAL 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 (G) AFTER JANUARY 1, 2002, THE COMMISSION MAY SUBMIT A REPORT OR
- 24 OTHER INFORMATION TO THE GOVERNOR AND GENERAL ASSEMBLY THAT THE
- 25 COMMISSION DEEMS NECESSARY.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 27 June 1, 2000.