

SENATE BILL 174
EMERGENCY BILL

Unofficial Copy
M3

2001 Regular Session
1r1411
CF HB 12

By: **Senators Frosh and Stoltzfus**

Introduced and read first time: January 19, 2001

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Upgrading Sewerage Systems**

3 FOR the purpose of establishing a Task Force to study the costs of upgrading
4 sewerage systems in the State; specifying the membership and duties of the
5 Task Force; providing for the appointment of the chairman of the Task Force;
6 prohibiting a member of the Task Force from receiving certain compensation;
7 authorizing a member of the Task Force to receive reimbursement for certain
8 expenses; providing for meetings of the Task Force; requiring the Task Force to
9 report to the Governor, the Maryland Congressional Delegation, and the
10 General Assembly on or before a certain date; providing for staffing of the Task
11 Force; providing for the termination of this Act; making this Act an emergency
12 measure; and generally relating to a Task Force to study the costs of upgrading
13 sewerage systems in the State.

14 **Preamble**

15 WHEREAS, Because of their age, sanitary sewerage systems and combined
16 sewerage systems around the State are outdated and have reached the inevitable
17 stage where major upgrades to sewerage systems around the State are necessary; and

18 WHEREAS, There are eight combined sewerage systems in the State, located in
19 Cumberland, LaVale, Frostburg, Cambridge, Westernport, Allegany County,
20 Salisbury, and a small portion of Baltimore City; and

21 WHEREAS, These combined sewerage systems, which combine the conveyance
22 of both stormwater and raw sewage, are designed to divert this effluent around a
23 wastewater treatment plant during heavy rains, resulting in untreated sewage and
24 stormwater discharging into Maryland waterways; and

25 WHEREAS, Aging sanitary sewerage systems and combined sewerage overflows
26 in Maryland have discharged millions of gallons of raw sewage into the Bay's
27 tributaries in recent months, resulting in an unknown quantity of nutrients flowing
28 into the Chesapeake Bay; and

1 WHEREAS, The negative impact of this discharge is of far greater consequence
2 than in Maryland waters alone and affects the vitality of the Chesapeake Bay as a
3 whole; and

4 WHEREAS, The costs to address the current problems with sanitary sewerage
5 and combined sewerage systems in the State have been estimated to range from \$500
6 million to \$1 billion; and

7 WHEREAS, The financial burden for upgrading aging sewerage infrastructure
8 has rested largely upon local governments that have a limited capacity to support
9 such expensive capital improvements; and

10 WHEREAS, The Governor, the General Assembly, and the Maryland
11 Congressional Delegation need firm financial data that indicate the costs to upgrade
12 sanitary sewerage systems and combined sewerage systems in the State in order to
13 seek adequate financial assistance for these upgrades; now, therefore,

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

16 (a) There is a Task Force to study the costs of upgrading sewerage systems in
17 the State.

18 (b) The Task Force shall consist of the following members:

19 (1) two members of the House of Delegates, appointed by the Speaker of
20 the House;

21 (2) two members of the Senate of Maryland, appointed by the President
22 of the Senate;

23 (3) the Secretary of the Environment, or the Secretary's designee;

24 (4) one representative from the Chesapeake Bay Commission,
25 designated by the Chesapeake Bay Commission;

26 (5) one representative from the Chesapeake Bay Foundation, designated
27 by the Chesapeake Bay Foundation;

28 (6) one representative from the environmental community, appointed by
29 the Governor;

30 (7) two representatives designated by the Maryland Association of
31 Counties, of which one shall represent a county with a combined sewerage system;

32 (8) two representatives designated by the Maryland Municipal League,
33 of which one shall represent a municipal corporation with a combined sewerage
34 system;

35 (9) one representative of the Chesapeake Bay Program office of the
36 United States Environmental Protection Agency; and

1 (10) one representative of the Washington Suburban Sanitary
2 Commission.

3 (c) The Governor shall appoint the chairman of the Task Force.

4 (d) A member may not receive compensation for serving on the Task Force, but
5 is entitled to reimbursement for expenses under the Standard State Travel
6 Regulations, as provided in the State budget.

7 (e) The Task Force shall meet at least once every 6 weeks at the call of the
8 chairman.

9 (f) The Task Force shall identify:

10 (1) the costs associated with upgrading aging sanitary sewerage systems
11 in the State, broken down by county and municipal corporation;

12 (2) the costs associated with separating and upgrading combined
13 sewerage systems in the State, broken down by county and municipal corporation;

14 (3) the costs associated with installing biological nutrient removal
15 technology on wastewater treatment plants in the State, itemized for each
16 wastewater treatment plant;

17 (4) the costs associated with installing additional nutrient removal
18 technology on wastewater treatment plants that have or will have installed biological
19 nutrient removal technology;

20 (5) methods through which the State, counties, and municipal
21 corporations may fund these upgrades;

22 (6) methods through which the State, counties, and municipal
23 corporations may seek financial assistance from the federal government and other
24 entities to implement these upgrades; and

25 (7) methods through which the State may work with other states in the
26 Chesapeake Bay Region to seek financial assistance from the federal government to
27 implement upgrades to aging sanitary sewerage systems and combined sewerage
28 systems in the Chesapeake Bay region.

29 (g) (1) The Task Force may establish criteria for a pilot program that would
30 identify certain sanitary sewerage and combined sewerage systems as priorities for
31 upgrades and seek financial assistance for these upgrades.

32 (2) These criteria may include impacts on water quality from the
33 sanitary sewerage system or combined sewerage system and the financial needs of
34 the community in which the system is located.

35 (h) On or before December 1, 2001, the Task Force shall submit a final report
36 of its findings and recommendations to the Governor, the Maryland Congressional

1 Delegation, and, subject to § 2-1246 of the State Government Article, to the General
2 Assembly.

3 (i) The Department of the Environment shall provide staff support to the
4 Task Force.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
6 Legislative Services is directed to send a copy of this Act to the Maryland
7 Congressional Delegation: Senators Paul S. Sarbanes and Barbara A. Mikulski,
8 Senate Office Building, Washington, D.C. 20510; and Representatives Wayne T.
9 Gilchrest, Robert L. Ehrlich, Jr., Benjamin L. Cardin, Albert R. Wynn, Steny
10 Hamilton Hoyer, Roscoe G. Bartlett, Elijah E. Cummings, and Constance A. Morella,
11 House Office Building, Washington, D.C. 20515; the Honorable Parris N. Glendening,
12 Governor of Maryland; the Honorable Thomas V. Mike Miller, Jr., President of the
13 Senate of Maryland; and the Honorable Casper R. Taylor, Jr., Speaker of the House of
14 Delegates.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an
16 emergency measure, is necessary for the immediate preservation of the public health
17 and safety, has been passed by a ye and nay vote supported by three-fifths of all the
18 members elected to each of the two Houses of the General Assembly, and shall take
19 effect from the date it is enacted. It shall remain effective until July 1, 2002 and, at
20 the end of June 30, 2002, with no further action required by the General Assembly,
21 this Act shall be abrogated and of no further force and effect.