

**SENATE BILL 174**  
**EMERGENCY BILL**

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2001 Regular Session  
1r1411  
CF HB 12

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By: **Senators Frosh and Stoltzfus**

Introduced and read first time: January 19, 2001

Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 13, 2001

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CHAPTER \_\_\_\_\_

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16 sewerage systems around the State are outdated and have reached the inevitable  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

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

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

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

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

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

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

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

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

23 (1) two members of the House of Delegates, appointed by the Speaker of  
24 the House;

25 (2) two members of the Senate of Maryland, appointed by the President  
26 of the Senate;

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

28 (4) the Director of the Maryland Environmental Service, or the  
29 Director's designee;

30 (5) one representative from the Department of Planning;

31 ~~(4)~~ (6) one representative from the Chesapeake Bay Commission,  
32 designated by the Chesapeake Bay Commission;

33 ~~(5)~~ (7) one representative from the Chesapeake Bay Foundation,  
34 designated by the Chesapeake Bay Foundation;

35 ~~(6)~~ (8) one representative from the environmental community,  
36 appointed by the Governor;

1           ~~(7)~~     (9)     two representatives designated by the Maryland Association of  
2 Counties, of which one shall represent a county with a combined sewerage system;

3           ~~(8)~~     (10)    two representatives designated by the Maryland Municipal  
4 League, of which one shall represent a municipal corporation with a combined  
5 sewerage system and one shall represent a municipal corporation with a water  
6 treatment system facing challenges;

7           ~~(9)~~     (11)    one representative of the Chesapeake Bay Program office of the  
8 United States Environmental Protection Agency; ~~and~~

9           ~~(10)~~    (12)    one representative of the Washington Suburban Sanitary  
10 Commission; and

11           (13)    one representative designated by the Maryland Rural Water  
12 Association.

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

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

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

19       (f)     The Task Force shall identify:

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

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

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

27           (4)     the costs associated with installing additional nutrient removal  
28 technology on wastewater treatment plants that have or will have installed biological  
29 nutrient removal technology;

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

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

35           (7)     methods through which the State may work with other states in the  
36 Chesapeake Bay Region to seek financial assistance from the federal government to

1 implement upgrades to aging sanitary sewerage systems and combined sewerage  
2 systems in the Chesapeake Bay region.

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

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

9 (h) On or before December 1, 2001, the Task Force shall submit a final report  
10 of its findings and recommendations to the Governor, the Maryland Congressional  
11 Delegation, and, subject to § 2-1246 of the State Government Article, to the General  
12 Assembly.

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

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

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