
By: **Delegates Rudolph, Donoghue, Glassman, and James**

Introduced and read first time: January 23, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Bay Restoration Program - On-Site Sewage Disposal Fee - County Option**

3 FOR the purpose of authorizing a county to opt out of collecting the Bay restoration
4 fee from certain users; prohibiting a county from applying for certain funds if it
5 chooses to opt out of collecting the fee; and generally relating to the Bay
6 restoration fee.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 9-1605.2(b)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2005 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Environment
14 Section 9-1605.2(h)
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2005 Supplement)

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

19 **Article - Environment**

20 9-1605.2.

21 (b) (1) The Bay restoration fee is:

22 (i) Beginning January 1, 2005, for each residential dwelling that
23 receives an individual sewer bill and each user of an onsite sewage disposal system or
24 a holding tank that receives a water bill, \$2.50 per month;

25 (ii) Beginning October 1, 2005, for each user of an onsite sewage
26 disposal system that does not receive a water bill, \$30 per year;

1 (iii) Beginning October 1, 2005, for each user of a sewage holding
2 tank that does not receive a water bill, \$30 per year; and

3 (iv) Beginning January 1, 2005, for a building or group of buildings
4 under single ownership or management that receives a sewer bill and that contains
5 multiple residential dwellings that do not receive an individual sewer bill or for a
6 nonresidential user:

7 1. For each equivalent dwelling unit not exceeding 3,000
8 equivalent dwelling units, \$2.50 per month;

9 2. For each equivalent dwelling unit exceeding 3,000
10 equivalent dwelling units and not exceeding 5,000 equivalent dwelling units, \$1.25
11 per month; and

12 3. For each equivalent dwelling unit exceeding 5,000
13 equivalent dwelling units, zero.

14 (2) (i) For a residential dwelling that receives an individual sewer bill,
15 a user of an onsite sewage disposal system or a holding tank that receives a water bill,
16 a building or group of buildings under single ownership or management that receives
17 a water and sewer bill and that contains multiple residential dwellings that do not
18 receive an individual sewer bill, and a nonresidential user, the restoration fee shall
19 be:

20 1. Stated in a separate line on the sewer or water bill, as
21 appropriate, that is labeled "Bay Restoration Fee"; and

22 2. Collected for each calendar quarter, unless a local
23 government or billing authority for a water or wastewater facility established some
24 other billing period on or before January 1, 2004.

25 (ii) 1. A. If the user does not receive a water bill, for users of
26 an onsite sewage disposal system and for users of a sewage holding tank, the county
27 in which the onsite sewage disposal system or holding tank is located shall be
28 responsible for collecting the restoration fee.

29 B. A county may negotiate with a municipal corporation
30 located within the county for the municipal corporation to collect the restoration fee
31 from onsite sewage disposal systems and holding tanks located in the municipal
32 corporation.

33 2. The governing body of each county, in consultation with
34 the Bay Restoration Fund Advisory Committee, shall determine the method and
35 frequency of collecting the restoration fee under subparagraph 1 of this
36 subparagraph.

37 (III) 1. A COUNTY MAY OPT OUT OF COLLECTING THE
38 RESTORATION FEE FROM USERS OF AN ONSITE SEWAGE DISPOSAL SYSTEM OR A
39 SEWAGE HOLDING TANK.

1 maintenance of the systems and tanks and the availability of grants and loans under
2 item 1 of this subparagraph;

3 B. Review and approve the design and construction of onsite
4 sewage disposal system or holding tank upgrades;

5 C. Issue grants or loans as provided under subsubparagraph
6 1 of this subparagraph; and

7 D. Provide technical support for owners of upgraded onsite
8 sewage disposal systems or holding tanks to operate and maintain the upgraded
9 systems; and

10 (ii) Transfer 40% of the funds to the Maryland Agriculture Water
11 Quality Cost Share Program in the Department of Agriculture in order to fund cover
12 crop activities.

13 (3) The Comptroller, in consultation with the Administration, may
14 establish any other accounts and subaccounts within the Bay Restoration Fund as
15 necessary to:

16 (i) Effectuate the purposes of this subtitle;

17 (ii) Comply with the provisions of any bond resolution;

18 (iii) Meet the requirements of any federal or State law or of any
19 grant or award to the Bay Restoration Fund; and

20 (iv) Meet any rules or program directives established by the
21 Secretary or the Board.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2006.