

HOUSE BILL 363

M3

71r0941

By: **Queen Anne's County Delegation**

Introduced and read first time: February 2, 2007

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 3, 2007

CHAPTER _____

1 AN ACT concerning

2 **Environment – Landfills – Termination Date**

3 FOR the purpose of expanding a certain prohibition against issuing a certain permit to
4 construct or operate a landfill within a certain distance of certain areas;
5 repealing the termination date of certain provisions of law relating to landfills
6 in the State; requiring the Department of the Environment to report to the
7 General Assembly on or before a certain date; and generally relating to landfills.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 9–204(m)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,
14 Chapter 228 of the Acts of the General Assembly of 2006
15 Section 2

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Environment**

2 9–204.

3 (m) The Secretary may not issue any permit under this section to construct or
 4 operate a [rubble] landfill within 4 miles of Unicorn Lake in Queen Anne’s County,
 5 within 1 mile of the Piscataway Creek, a Piscataway Creek tributary, or the
 6 Mattawoman Creek, or within 1 mile of any other tributary in Prince George’s County
 7 that flows directly or indirectly into the Potomac River.

8 **Chapter 228 of the Acts of 2006**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
 10 measure, is necessary for the immediate preservation of the public health or safety,
 11 has been passed by a yea and nay vote supported by three–fifths of all the members
 12 elected to each of the two Houses of the General Assembly, and shall take effect from
 13 the date it is enacted. [It shall remain effective through June 1, 2009, and, at the end
 14 of June 1, 2009, with no further action required by the General Assembly, this Act
 15 shall be abrogated and of no further force and effect.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,
 17 2008, the Department of the Environment shall report to the General Assembly, in
 18 accordance with § 2–1246 of the State Government Article, on appropriate methods to
 19 authorize a county to remove a proposed landfill from a county plan, including any
 20 information on methods or practices utilized by other states.

21 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
 22 effect October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.