

# HOUSE BILL 376

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71r1552

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By: **Delegates Beitzel, Bartlett, Bates, Costa, Eckardt, Elmore, Kach, Kelly, McKee, Myers, O'Donnell, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, and Weldon**

Introduced and read first time: February 2, 2007

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Bay Restoration Fund – Users**

3 FOR the purpose of altering the definition of a certain term to exempt certain users of  
4 onsite sewage disposal systems and sewage holding tanks located in certain  
5 areas from provisions of law relating to the Bay Restoration Fund; and  
6 generally relating to onsite sewage disposal systems and the Bay Restoration  
7 Fund.

8 BY repealing and reenacting, with amendments,  
9 Article – Environment  
10 Section 9–1601(ff)  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, without amendments,  
14 Article – Environment  
15 Section 9–1605.2(a)  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 2006 Supplement)

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

20 **Article – Environment**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9-1601.

2 (ff) (1) "User" means any person discharging wastewater to:

3 (i) A wastewater facility that has a State discharge permit or  
4 national pollutant discharge elimination system discharge permit;

5 (ii) An onsite sewage disposal system **LOCATED IN A**  
6 **DRAINAGE BASIN OR WATERSHED THAT FLOWS INTO THE CHESAPEAKE BAY**; or

7 (iii) A sewage holding tank **LOCATED IN A DRAINAGE BASIN**  
8 **OR WATERSHED THAT FLOWS INTO THE CHESAPEAKE BAY**.

9 (2) "User" does not include a person whose sole discharge is  
10 stormwater under a stormwater permit.

11 9-1605.2.

12 (a) (1) There is a Bay Restoration Fund.

13 (2) It is the intent of the General Assembly that the Bay Restoration  
14 Fund be:

15 (i) Used, in part, to provide the funding necessary to upgrade  
16 any of the wastewater treatment facilities that are located in the State or used by  
17 citizens of the State in order to achieve enhanced nutrient removal where it is  
18 cost-effective to do so; and

19 (ii) Available for treatment facilities discharging into the  
20 Atlantic Coastal Bays or other waters of the State, but that priority be given to  
21 treatment facilities discharging into the Chesapeake Bay.

22 (3) The Bay Restoration Fund shall be maintained and administered  
23 by the Administration in accordance with the provisions of this section and any rules  
24 or program directives as the Secretary or the Board may prescribe.

25 (4) There is established a Bay Restoration Fee to be paid by any user  
26 of a wastewater facility, an onsite sewage disposal system, or a holding tank that:

27 (i) Is located in the State; or

1                                   (ii) Serves a Maryland user and is eligible for funding under  
2 this subtitle.

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