

HOUSE BILL 1268

M3

71r3026

By: **Delegates Elliott and Stull**

Introduced and read first time: February 22, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Bay Restoration Fund – Disbursement of Funds**

3 FOR the purpose of increasing the percentage of certain funds from the Bay
4 Restoration Fund that are disbursed to fund cover crop activities; altering the
5 percentage of funds that are used for purposes relating to onsite sewage
6 disposal systems; and generally relating to the disbursement of funds from the
7 Bay Restoration Fund.

8 BY repealing and reenacting, without amendments,
9 Article – Environment
10 Section 9–1605.2(b)(1) and (h)(1)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 9–1605.2(h)(2)
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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9-1605.2.

2 (b) (1) The Bay Restoration Fee is:

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

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

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

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

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

16 2. For each equivalent dwelling unit exceeding 3,000
17 equivalent dwelling units and not exceeding 5,000 equivalent dwelling units, \$1.25 per
18 month; and

19 3. For each equivalent dwelling unit exceeding 5,000
20 equivalent dwelling units, zero.

21 (h) (1) With regard to the funds collected under subsection (b)(1)(i), from
22 users of an onsite sewage disposal system or holding tank that receive a water bill, (ii),
23 and (iii) of this section, beginning in fiscal year 2006, the Comptroller shall:

24 (i) Establish a separate account within the Bay Restoration
25 Fund; and

26 (ii) Disburse the funds as provided under paragraph (2) of this
27 subsection.

28 (2) The Comptroller shall:

(i) Deposit ~~[60%]~~ **40%** of the funds in the separate account to be used for:

1. Subject to paragraph (3) of this subsection, with priority first given to failing systems and holding tanks located in the Chesapeake and Atlantic Coastal Bays Critical Area and then to failing systems that the department determines are a threat to public health or water quality, grants or loans for up to 100% of:

A. The costs attributable to upgrading an onsite sewage disposal system to the best available technology for the removal of nitrogen;

B. The cost difference between a conventional onsite sewage disposal system and a system that utilizes the best available technology for the removal of nitrogen; or

C. The cost of repairing or replacing a failing onsite sewage disposal system with a system that uses the best available technology for nitrogen removal or another wastewater treatment system; and

2. The reasonable costs of the Department, not to exceed 8% of the funds deposited into the separate account, to:

A. Implement an education, outreach, and upgrade program to advise owners of onsite sewage disposal systems and holding tanks on the proper maintenance of the systems and tanks and the availability of grants and loans under item 1 of this item;

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

C. Issue grants or loans as provided under item 1 of this item; and

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

(ii) Transfer ~~[40%]~~ **60%** of the funds to the Maryland Agriculture Water Quality Cost Share Program in the Department of Agriculture in order to fund cover crop activities.

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