

SENATE BILL 812

M3

7lr2778

By: **Senators Colburn and Pipkin**

Introduced and read first time: February 16, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Bay Restoration Fund – Eastern Shore Demonstration Projects**

3 FOR the purpose of authorizing the use of certain Bay Restoration funds for certain
4 demonstration projects in certain counties for the extension of sewer from a
5 publicly owned wastewater facility under certain circumstances; and generally
6 relating to the use of Bay Restoration funds.

7 BY repealing and reenacting, without amendments,

8 Article – Environment

9 Section 9–1605.2(a) and (b)(1)

10 Annotated Code of Maryland

11 (1996 Replacement Volume and 2006 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Environment

14 Section 9–1605.2(h)

15 Annotated Code of Maryland

16 (1996 Replacement Volume and 2006 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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

16 (i) Is located in the State; or

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

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

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

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

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

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

11 (i) Establish a separate account within the Bay Restoration
12 Fund; and

13 (ii) Disburse the funds as provided under paragraph (2) of this
14 subsection.

15 (2) The Comptroller shall:

16 (i) Deposit 60% of the funds in the separate account to be used
17 for:

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

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

25 (3) Funding for the costs identified in paragraph (2)(i)1 of this
26 subsection shall be provided in the following order of priority:

27 (i) For owners of all levels of income, the costs identified in
28 paragraph (2)(i)1A and B of this subsection; and

29 (ii) For low-income owners, as defined by the Department, the
30 costs identified in paragraph (2)(i)1C of this subsection:

5 (i) Effectuate the purposes of this subtitle;

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

9 (iv) Meet any rules or program directives established by the
10 Secretary or the Board.

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