

HOUSE BILL 335

L2, M3

8lr1919

By: **Cecil County Delegation**

Introduced and read first time: January 25, 2008

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2008

CHAPTER _____

1 AN ACT concerning

2 **Cecil County – Waste Disposal – Northeast Maryland Waste Disposal**
3 **Authority**

4 FOR the purpose of authorizing Cecil County to become a participating county in the
5 Northeast Waste Disposal Authority by the Board of County Commissioners
6 filing a resolution of participation with the Secretary of State and the
7 Department of Legislative Services; and generally relating to Cecil County and
8 the Northeast Waste Disposal Authority.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 3–903(a)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2007 Supplement)

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

16 **Article – Natural Resources**

17 3–903.

18 (a) (1) There is hereby created a body politic and corporate to be known as
19 the “Northeast Maryland Waste Disposal Authority” which is constituted a public
20 instrumentality of the State of Maryland. The exercise by the Authority of the powers

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 conferred by this subtitle shall be deemed to be the performance of an essential public
2 function.

3 (2) The Authority was organized and commenced its activities on
4 October 21, 1980, when there were filed with the Secretary of State and the
5 Department of Legislative Services certified copies of the resolutions of participation of
6 at least two of the following four counties: Mayor and City Council of Baltimore,
7 Baltimore County, Maryland, Anne Arundel County, Maryland, and Harford County,
8 Maryland.

9 (3) Montgomery County, Maryland, also became a participating
10 county in the Authority by filing certified copies of a resolution of participation with
11 the Secretary of State and the Department of Legislative Services, whereupon
12 Montgomery County, Maryland, had all of the rights, privileges, and powers under
13 this subtitle that the other participating counties have or may have, including the
14 power to participate in projects and to enter into contracts with the Authority,
15 including the contracts relating to the Authority's Southwest Resource Recovery
16 Facility located in the City of Baltimore, in order to defray and provide for the
17 Authority's costs of acquiring, constructing, operating, or providing a project, including
18 debt service requirements of the Authority relating to a project.

19 (4) Carroll County, Maryland, may also become a participating county
20 in the Authority by the County Commissioners of Carroll County filing certified copies
21 of a resolution of participation with the Secretary of State and the Department of
22 Legislative Services, whereupon Carroll County, Maryland, shall have all of the rights,
23 privileges, and powers under this subtitle that the other participating counties have or
24 may have.

25 (5) Howard County, Maryland, may also become a participating
26 county in the Authority by the County Council of Howard County filing certified copies
27 of a resolution of participation with the Secretary of State and the Department of
28 Legislative Services, whereupon Howard County, Maryland, shall have all of the
29 rights, privileges, and powers under this subtitle that the other participating counties
30 have or may have.

31 (6) Frederick County, Maryland, may also become a participating
32 county in the Authority by the County Commissioners of Frederick County filing
33 certified copies of a resolution of participation with the Secretary of State and the
34 Department of Legislative Services, whereupon Frederick County, Maryland, shall
35 have all of the rights, privileges, and powers under this subtitle that the other
36 participating counties have or may have.

37 (7) **CECIL COUNTY, MARYLAND, MAY ALSO BECOME A**
38 **PARTICIPATING COUNTY IN THE AUTHORITY BY THE BOARD OF COUNTY**
39 **COMMISSIONERS OF CECIL COUNTY FILING CERTIFIED COPIES OF A**
40 **RESOLUTION OF PARTICIPATION WITH THE SECRETARY OF STATE AND THE**
41 **DEPARTMENT OF LEGISLATIVE SERVICES, WHEREUPON CECIL COUNTY,**

1 MARYLAND, SHALL HAVE ALL OF THE RIGHTS, PRIVILEGES, AND POWERS
2 UNDER THIS SUBTITLE THAT THE OTHER PARTICIPATING COUNTIES HAVE OR
3 MAY HAVE.

4 [(7)] (8) Each resolution of participation contained:

5 (i) A declaration by the county of its intention and
6 consent to participate in the activities of the Authority; and

7 (ii) Such provisions, if any, as the participating counties
8 approved and required as being necessary or desirable for the Authority to be an
9 organization described in § 501(c)(3) of the Internal Revenue Code.

10 [(8)] (9) Each resolution of participation was presented by the chief
11 executive officer of a county to the body exercising legislative powers of that county
12 and was effective after adoption by such legislative body and approval by such chief
13 executive officer.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.