

# SENATE BILL 674

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8lr2822

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By: **Senator Brinkley**

Introduced and read first time: February 1, 2008

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2008

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Water Resources – Groundwater Appropriation or Use – Priority Funding**  
3 **Areas**

4 FOR the purpose of authorizing the Maryland Department of the Environment to give  
5 priority to a public water system that supplies water to ~~a~~ certain priority  
6 funding ~~area~~ areas in certain counties when appropriating or using  
7 groundwater of the State under certain circumstances; authorizing the  
8 Department to adopt certain regulations; and generally relating to the  
9 appropriation or use of groundwater of the State.

10 BY repealing and reenacting, with amendments,  
11 Article – Environment  
12 Section 5–501  
13 Annotated Code of Maryland  
14 (2007 Replacement Volume and 2007 Supplement)

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

17 **Article – Environment**

18 5–501.

19 (a) In order to conserve, protect, and use water resources of the State in  
20 accordance with the best interests of the people of Maryland, it is the policy of the  
21 State to control, so far as feasible, appropriation or use of surface waters and

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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 groundwaters of the State. Also, it is State policy to promote public safety and welfare  
2 and control and supervise, so far as is feasible, construction, reconstruction, and repair  
3 of dams, reservoirs, and other waterworks in any waters of the State.

4 **(B) (1) ~~WHEN~~ IN ACCORDANCE WITH THE POLICY DECLARED IN THIS**  
5 **SECTION, AND PROVIDED THAT IT WILL NOT JEOPARDIZE THE STATE'S**  
6 **NATURAL RESOURCES, WHEN APPROPRIATING ~~OR USING~~ GROUNDWATER OF**  
7 **THE STATE IN CARROLL, FREDERICK, OR WASHINGTON COUNTIES, THE**  
8 **DEPARTMENT MAY GIVE PRIORITY TO A PUBLIC WATER SYSTEM THAT**  
9 **PROVIDES WATER TO A:**

10 **(I) A MUNICIPAL CORPORATION, NOT INCLUDING THOSE**  
11 **AREAS ANNEXED AFTER JANUARY 1, 2000; OR**

12 **(II) A PRIORITY FUNDING AREA ESTABLISHED ON OR**  
13 **BEFORE JANUARY 1, ~~1997~~ 2000, UNDER ~~§ 5-7B-03~~ § 5-7B-02(7) OF THE STATE**  
14 **FINANCE AND PROCUREMENT ARTICLE.**

15 **(2) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT**  
16 **THIS SUBSECTION.**

17 **[(b)] (C)** This subtitle is in addition to and not in substitution for any  
18 existing laws of the State.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.