

BY: Senator Brochin

(To be offered in the Education, Health, and Environmental
Affairs Committee)

AMENDMENTS TO HOUSE BILL 446

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fees” insert “, Withdrawals.”; in the same line, strike “Uses” and substitute “Transfers”; in line 3, before “altering” insert “temporarily”; in line 5, after “date;” insert “establishing certain fees to be paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks effective after a certain date; prohibiting the withdrawal or transfer of certain money unless certain legislation is approved by a certain vote in both houses of the General Assembly;”.

On page 2, in line 2, after “to” insert “the”; in the same line, strike “Fees” and substitute “Fund”; and in line 10, after “(d)” insert “, (f)”.

AMENDMENT NO. 2

On page 4, after line 12, insert:

“(2) BEGINNING JANUARY 1, 2018, THE BAY RESTORATION FEE
IS:

(I) FOR EACH RESIDENTIAL DWELLING THAT RECEIVES AN
INDIVIDUAL SEWER BILL AND EACH USER OF AN ONSITE SEWAGE DISPOSAL
SYSTEM OR A HOLDING TANK THAT RECEIVES A WATER BILL, \$2.50 PER MONTH;

(II) FOR EACH USER OF AN ONSITE SEWAGE DISPOSAL
SYSTEM THAT DOES NOT RECEIVE A WATER BILL, \$30 PER YEAR;

(Over)

(III) FOR EACH USER OF A SEWAGE HOLDING TANK THAT DOES NOT RECEIVE A WATER BILL, \$30 PER YEAR; AND

(IV) FOR A BUILDING OR GROUP OF BUILDINGS UNDER SINGLE OWNERSHIP OR MANAGEMENT THAT RECEIVES A SEWER BILL AND THAT CONTAINS MULTIPLE RESIDENTIAL DWELLINGS THAT DO NOT RECEIVE AN INDIVIDUAL SEWER BILL OR FOR A NONRESIDENTIAL USER:

1. FOR EACH EQUIVALENT DWELLING UNIT NOT EXCEEDING 3,000 EQUIVALENT DWELLING UNITS, \$2.50 PER MONTH;

2. FOR EACH EQUIVALENT DWELLING UNIT EXCEEDING 3,000 EQUIVALENT DWELLING UNITS AND NOT EXCEEDING 5,000 EQUIVALENT DWELLING UNITS, \$1.25 PER MONTH; AND

3. FOR EACH EQUIVALENT DWELLING UNIT EXCEEDING 5,000 EQUIVALENT DWELLING UNITS, ZERO.”;

in line 13, strike “(2)” and substitute “(3)”.

On page 5, in lines 1, 3, and 12, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; in line 1, strike “paragraph” and substitute “PARAGRAPHS”; and in the same line, after “(1)” insert “AND (2)”.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“(f) (1) (i) The Bay Restoration Fund is a special, continuing, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement

Article and shall be available in perpetuity for the purpose of providing financial assistance in accordance with the provisions of this section.

(ii) Money in the Fund may not revert or be transferred to the General Fund or a special fund of the State.

(2) The Bay Restoration Fund shall be available for the purpose of providing financial assistance in accordance with the provisions of this section for:

(i) Eligible costs of projects relating to planning, design, construction, and upgrades of wastewater facilities to achieve enhanced nutrient removal as required by the conditions of a grant agreement and a discharge permit; and

(ii) All projects identified in subsections (h) and (i) of this section.

(3) Subject to the provisions of any applicable bond resolution regarding the holding or application of amounts in the Bay Restoration Fund, the Treasurer shall separately hold, and the Comptroller shall account for, the Bay Restoration Fund.

(4) Subject to the provisions of any applicable bond resolution governing the investment of amounts in the Bay Restoration Fund, the Bay Restoration Fund shall be invested and reinvested in the same manner as other State funds.

(5) Any investment earnings shall be retained to the credit of the Bay Restoration Fund.

(6) The Bay Restoration Fund shall be subject to audit by the Office of Legislative Audits as provided under § 2-1220 of the State Government Article.

(Over)

(7) The Administration shall operate the Bay Restoration Fund in accordance with §§ 9–1616 through 9–1621 of this subtitle.

(8) EXCEPT AS PROVIDED IN THIS SECTION, MONEY IN THE BAY RESTORATION FUND MAY NOT BE WITHDRAWN OR TRANSFERRED UNLESS LEGISLATION TO WITHDRAW OR TRANSFER THE MONEY HAS BEEN PASSED BY A YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.”;

in line 12, after “**(B)(1)(I)1**”, insert “**and (2)(I)**”; in line 13, before “**(I)2**” insert “**(1)**”; and in the same line, after “**(I)3**” insert “**and (2)(II) and (III)**”.