

HOUSE BILL 937

M3

4lr2537

By: **Delegates Elliott, Arentz, Aumann, Bates, Beitzel, Cluster, Conway, Eckardt, Hogan, Hucker, Impallaria, Jameson, Kaiser, K. Kelly, Kipke, Krebs, McDermott, McDonough, McIntosh, Norman, Otto, Parrott, Ready, Reznik, Rudolph, Schulz, Serafini, Stocksdale, Vitale, and Wood**

Introduced and read first time: February 5, 2014

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2014

CHAPTER _____

1 AN ACT concerning

2 **Wastewater Treatment Facilities – Distribution of Financial Assistance**

3 FOR the purpose of requiring the Maryland Water Quality Financing Administration
4 in the Department of the Environment to ensure a certain distribution of
5 certain financial assistance among certain wastewater treatment facilities; and
6 generally relating to financial assistance to wastewater treatment facilities.

7 BY repealing and reenacting, without amendments,
8 Article – Environment
9 Section 9–1601(a), (b), (c), (ii), and (jj)
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Environment
14 Section 9–1604
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2013 Supplement)

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

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

Article – Environment

2 9–1601.

3 (a) Unless the context clearly requires otherwise, in this subtitle the
4 following words have the meanings indicated.

5 (b) “Administration” means the Maryland Water Quality Financing
6 Administration.

7 (c) “Bay Restoration Fund” means the Bay Restoration Fund established
8 under § 9–1605.2 of this subtitle.

9 (ii) “Wastewater facility” means any equipment, plant, treatment works,
10 structure, machinery, apparatus, interest in land, or any combination of these, which
11 is acquired, used, constructed, or operated for the storage, collection, treatment,
12 neutralization, stabilization, reduction, recycling, reclamation, separation, or disposal
13 of wastewater, or for the final disposal of residues resulting from the treatment of
14 wastewater, including: treatment or disposal plants; outfall sewers, interceptor
15 sewers, and collector sewers; pumping and ventilating stations, facilities, and works;
16 programs and projects for controlling nonpoint sources of water pollution and for
17 estuarine conservation and management; and other real or personal property and
18 appurtenances incident to their development, use, or operation.

19 (jj) “Water Quality Fund” means the Maryland Water Quality Revolving
20 Loan Fund.

21 9–1604.

22 (A) In addition to the powers set forth elsewhere in this subtitle, but subject
23 to such rules or program directives as the Secretary may from time to time prescribe,
24 the Administration may:

25 (1) Adopt and alter an official seal;

26 (2) Sue and be sued, plead, and be impleaded;

27 (3) Adopt bylaws, rules, and regulations to carry out the provisions of
28 this subtitle;

29 (4) Maintain an office at such place as the Secretary may designate;

30 (5) Employ consultants, accountants, attorneys, financial experts, and
31 other personnel and agents as may be necessary in its judgment, and fix their
32 compensation;

1 (6) Establish regulations, criteria, or guidelines with respect to loans,
2 loan agreements, loan obligations, grants, grant agreements, and grant obligations;

3 (7) Receive and accept from any source, private or public,
4 contributions, grants, or gifts of money or property;

5 (8) Enter into contracts of any kind, and execute all instruments
6 necessary or convenient with respect to carrying out the powers in this subtitle to
7 accomplish the purposes of the Administration;

8 (9) Make loans, enter into loan agreements, and accept and enforce
9 loan obligations;

10 (10) Award grants, enter into grant agreements, and accept and enforce
11 grant obligations;

12 (11) Subject to the prior approval of the Board and the Secretary, issue
13 bonds under this subtitle; and

14 (12) Do all acts and things necessary or convenient to carry out the
15 powers granted by this subtitle.

16 **(B) (1) THIS SUBSECTION APPLIES TO FINANCIAL ASSISTANCE**
17 **PROVIDED BY THE ADMINISTRATION UNDER:**

18 **(I) THE WATER QUALITY FUND;**

19 **(II) THE BAY RESTORATION FUND;**

20 **(III) THE BIOLOGICAL NUTRIENT REMOVAL PROGRAM; AND**

21 **(IV) THE SUPPLEMENTAL ASSISTANCE PROGRAM.**

22 **(2) THE ADMINISTRATION SHALL ENSURE THE FAIR AND**
23 **EQUITABLE DISTRIBUTION OF FINANCIAL ASSISTANCE AMONG WASTEWATER**
24 **TREATMENT FACILITIES WITH A DESIGN CAPACITY OF LESS THAN 500,000**
25 **GALLONS PER DAY AND WASTEWATER TREATMENT FACILITIES WITH A DESIGN**
26 **CAPACITY OF 500,000 GALLONS OR MORE PER DAY.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2014.