

Department of Legislative Services  
 Maryland General Assembly  
 2021 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

House Bill 267

(Delegate Grammer)

Environment and Transportation

Education, Health, and Environmental Affairs

Sewage Treatment Plants - Effluent Discharges - Impacts on Midge Populations

This bill requires the Maryland Department of the Environment (MDE) to (1) monitor effluent discharged from sewage treatment plants and (2) evaluate whether the effluent, and any nutrients in the effluent, impacts midge populations in the surrounding land and water areas, including whether the effluent contributes to the growth of phytoplankton. By October 1 each year, beginning in 2022, MDE must report to the General Assembly on the activities conducted in accordance with the bill. **The bill takes effect July 1, 2021.**

Fiscal Summary

**State Effect:** General fund expenditures increase by \$77,500 in FY 2022. Future year expenditures reflect ongoing costs. Revenues are not affected.

(in dollars)	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	77,500	68,800	70,600	72,900	75,300
Net Effect	(\$77,500)	(\$68,800)	(\$70,600)	(\$72,900)	(\$75,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** None. The bill does not directly affect local government operations or finances.

**Small Business Effect:** None.

## Analysis

**Current Law:** MDE is not required to monitor effluent discharged from sewage treatment plants with respect to any impact the effluent may have on midge populations.

In 2017, Governor Lawrence J. Hogan, Jr., signed Executive Order 01.01.2017.17, which required the Maryland Department of Agriculture (MDA), in partnership with the Department of Natural Resources, to begin eradication of the midge population in the Back River in Baltimore County. In response, MDA implemented the Midge Pilot Program to test the feasibility of Back River midge control and to determine (1) the impact of *Bacillus thuringiensis israelensis (Bti)* in controlling midge populations in the area and (2) the most cost effective dosage and frequency of *Bti* treatments in the area.

**State Expenditures:** General fund expenditures for MDE increase by \$77,472 in fiscal 2022, which reflects the bill's July 1, 2021, effective date. This estimate reflects the cost of hiring one natural resource planner to (1) take water samples and monitor at least five different sites; (2) conduct benthic macroinvertebrate and phytoplankton field sampling; (3) process taxonomy and perform data entry and analysis; and (4) write the annual report. It includes a salary, fringe benefits, one-time start-up costs (including a cell phone and field equipment), and ongoing operating expenses (including travel and laboratory supplies).

Position	1
Salary and Fringe Benefits	\$63,797
Equipment/Operating Expenses	<u>13,675</u>
<b>Total FY 2022 State Expenditures</b>	<b>\$77,472</b>

Future year expenditures reflect a salary with annual increases and employee turnover and ongoing operating expenses.

MDE advises that it needs two full-time natural resource planners to implement the bill. Without actual experience under the bill, however, the need for two positions is unclear. To the extent MDE is unable to implement the bill with one new position, MDE may request additional resources through the annual budget process.

---

## Additional Information

**Prior Introductions:** HB 836 of 2020, a similar bill, passed the House and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Baltimore City; Kent, Montgomery, Washington, and Worcester counties; City of Salisbury; towns of Bel Air and Leonardtown; Maryland Department of the Environment; Department of Legislative Services

**Fiscal Note History:** First Reader - January 25, 2021  
rh/lgc Third Reader - March 15, 2021  
Revised - Amendment(s) - March 15, 2021

---

Analysis by: Kathleen P. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510