

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 789

(Montgomery County Delegation and Prince George's
County Delegation)

Environment and Transportation

Education, Health, and Environmental Affairs

Washington Suburban Sanitary Commission – Video and Audio Streaming and
Archiving Meetings and Financial Assistance MC/PG 100–21

This bill requires the Washington Suburban Sanitary Commission (WSSC) to stream live video or live teleconference audio or other audio of its open meetings and to maintain on its website a complete and unedited archived recording of each open meeting. Under specified circumstances, the inability of WSSC to comply with the recording requirements does not affect the validity of any action taken during the meeting. The bill also specifies that financial assistance provided as part of the Customer Assistance Program can include the reduction or waiver of fees, including late fees.

Fiscal Summary

State Effect: None.

Local Effect: None. WSSC indicates that the bill can be implemented with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill specifies that the inability of WSSC to comply with recording requirements due to technical failure that entirely prevents or affects the quality of the live or audio streaming of a meeting does not affect the validity of any action taken by WSSC during the meeting if (1) WSSC otherwise complies with its other meeting requirements

and the Open Meetings Act and (2) the inability to comply is not due to willful action by WSSC.

The bill also requires WSSC to make good faith efforts to record its open meetings by video or audio and maintain on its website a complete and unedited archived recording of the meeting.

Current Law: WSSC is among the largest water and wastewater utilities in the country, providing water and sewer services to 1.8 million residents in Montgomery and Prince George's counties. It has approximately 475,000 customer accounts, serves an area of approximately 1,000 square miles, and currently employs more than 1,500 people. The commission operates three reservoirs, two water filtration plants, and six wastewater treatment plants. The six wastewater treatment facilities, as well as the Blue Plains Advanced Wastewater Treatment Plant, handle more than 200 million gallons of wastewater per day. The commission maintains more than 5,700 miles of water main lines and over 5,500 miles of sewer main lines.

Open Meetings Requirement

WSSC meetings are subject to the Open Meetings Act. WSSC must determine the times and places of its open meetings, prepare minutes of the meetings, and retain the minutes in the usual corporate form. The minutes must reflect the votes of the commissioners for any action that (1) authorizes, modifies, or rescinds a water or sanitary sewer extension or (2) adopts or amends a water or sewer program of extensions. The votes must be taken separately and recorded as yeas, nays, or abstentions. WSSC is required to include in the minutes (1) the name of a commissioner who votes or abstains; (2) the reason for an abstention; (3) a brief summary of the matters on which a vote is taken; and (4) any disclosure of conflicts of interest. Minutes of the meetings must be made available for public inspection during normal business hours at the principal office of WSSC.

Customer Assistance Program

As required by Chapter 474 of 2015, WSSC established a customer assistance program in 2015 to provide financial assistance with water and sewer bills to eligible ratepayers. Ratepayers are customers who hold accounts with WSSC and are primarily responsible for payment of accrued water and sewer charges. The program was designed to mitigate the effect of years of rate increases on lower income payers while still allowing the commission to fund infrastructure improvements.

Chapter 162 of 2019 authorized WSSC to establish an Indirect Customer Assistance Program to provide financial assistance to eligible indirect customers for water and sewer service. An indirect customer is an individual who receives water or sewer service or both

from WSSC but is not billed by WSSC. WSSC must specify income eligibility standards and a process for indirect customers to receive financial assistance, and these standards must be applied uniformly throughout the sanitary district. The Customer Assistance Program and the Indirect Customer Assistance Program must be funded from WSSC revenues.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Prince George's County; Washington Suburban Sanitary Commission; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2021
rh/tso Third Reader - March 19, 2021

Analysis by: Arnold Adja

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