

SB0354/813921/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 354  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike “Fund’s Clean Water Commerce Account” and substitute “Fund”; in line 19, strike “9–1605(a)(1),” and substitute “9–1605(a)(1) and”; in the same line, after “9–1605.2(i)(1)” insert “and (2)(i)”; in the same line, strike “(k), and 9–1605.4(q)” and substitute “(k)”; and in line 24, after “9–1605(f)” insert “and 9–1605.2(i)(12)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 27 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, in line 4, strike “To” and substitute “**SUBJECT TO PARAGRAPH (12) OF THIS SUBSECTION, TO**”; after line 8, insert:

**“(12) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT MAY NOT PROVIDE FUNDING UNDER THIS SECTION TO THE OWNER OF A PRIVATELY OWNED WASTEWATER FACILITY IF THE DEPARTMENT OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY HAS DETERMINED IN THE 2 YEARS IMMEDIATELY PRECEDING THE DATE ON WHICH THE OWNER APPLIED FOR FUNDING UNDER THIS SECTION THAT THE FACILITY DID NOT COMPLY WITH A DISCHARGE PERMIT ISSUED BY THE DEPARTMENT UNDER THIS TITLE.**

**(II) THE DEPARTMENT MAY PROVIDE FUNDING UNDER THIS SECTION TO THE OWNER OF A PRIVATELY OWNED WASTEWATER FACILITY THAT WOULD NOT BE ELIGIBLE FOR FUNDING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE DEPARTMENT DETERMINES, BASED ON PROOF SUBMITTED**

BY THE OWNER OF THE FACILITY WHEN APPLYING FOR FUNDING UNDER THIS SECTION, THAT:

1. THE OWNER OF THE FACILITY LACKS THE FINANCIAL CAPACITY TO PURCHASE OR UPGRADE A WASTEWATER TREATMENT SYSTEM THAT WOULD BRING THE FACILITY INTO COMPLIANCE WITH THE DISCHARGE PERMIT ISSUED BY THE DEPARTMENT;

2. THE FACILITY IS INDEPENDENTLY OWNED AND OPERATED; AND

3. THE OWNER OF THE FACILITY IS NOT A SUBSIDIARY OF ANOTHER BUSINESS.

(III) 1. THE DEPARTMENT SHALL INCLUDE WITH ITS ANNUAL OPERATING BUDGET PROPOSAL SUBMITTED TO THE DEPARTMENT OF BUDGET AND MANAGEMENT A LIST OF EACH FACILITY TO WHICH THE DEPARTMENT PROVIDED FUNDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IN THE IMMEDIATELY PRECEDING 12 MONTHS AND THE REASONS FOR PROVIDING THE FUNDING.

2. IF THE DEPARTMENT PROVIDES THE LIST UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH TO THE DEPARTMENT OF BUDGET AND MANAGEMENT, THE DEPARTMENT SHALL IMMEDIATELY PROVIDE THE LIST TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.”;

strike in their entirety lines 9 through 12, inclusive; and strike beginning with “§ 9-1605.4(Q)(3)(II)” in line 20 down through “SUBTITLE” in line 21 and substitute “SUBSECTION (I)(12) OF THIS SECTION”.

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On pages 4 and 5, strike in their entirety the lines beginning with line 9 on page 4 through line 18 on page 5, inclusive.

On page 5, in line 19, strike “3.” and substitute “2.”; and strike beginning with “Section” in line 20 down through “provision.” in line 24.