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Senate Education, Energy, and the Environment Committee
2 West Miller
Senate Office Building
Annapolis, Maryland 21401

Dear Honorable Brian J. Feldman, Chair,

I am writing today to formally express my strong support for SB 682, which seeks to allow homeowners' associations to serve as the controlling authority for certain privately owned and maintained minor sewage systems. This legislation is a necessary step in ensuring that the homeowners' associations are responsible and accountable for their own minor sewage systems and does not force the County to assume a localized infrastructure liability that was never built or maintained by the County and is well outside the County's sewer service areas.

This bill is narrowly focused on one system in Anne Arundel County. The historical context of this project underscores the necessity for legislative relief. From the outset, there were significant concerns raised about its long-term sustainability, accompanied by attempts to prevent its establishment. Despite these reservations, the project proceeded with an understanding that a designated entity would handle ongoing maintenance and oversight. Now, after years of operation and ongoing disputes between private parties that have nothing to do with the County, there has been an attempt to shift responsibility and liability of the system to the County. This shift disregards the initial efforts to halt the project's implementation and imposes an unwarranted strain on local resources and utility ratepayers.

Passing SB 682 will ensure that the County is not held accountable for a private utility it never sanctioned and does not wish to control. It is a matter of basic fairness that the entities which designed, built, and committed to maintaining the privately owned plant remain the responsible parties, rather than offloading the operational and financial risks onto the County utility rate payers. This bill provides a common-sense solution to a unique administrative problem without setting a broad or disruptive precedent. For these reasons, I respectfully urge the Committee to issue a favorable report on SB 682.

Sincerely,

A handwritten signature in cursive script that reads 'Karen Henry'.

Karen Henry
Director

cc: Members of the Senate Education, Energy, and the Environment Committee