

HOUSE BILL 6

M3, L1

EMERGENCY BILL

2lr4580
CF SB 12

By: **Delegates Jacobs, Boteler, Eckardt, Glass, Haddaway–Riccio, Hershey, Hough, McComas, McDermott, Parrott, Smigiel, and Vitale**

Introduced and read first time: October 17, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Watershed Implementation Plan – County Implementation**

3 FOR the purpose of providing that a local jurisdiction may not be required to
4 implement certain activities or strategies of a State Watershed Implementation
5 Plan unless certain funding is provided; defining certain terms; making this Act
6 an emergency measure; and generally relating to the local implementation of
7 certain activities or strategies of a State Watershed Implementation Plan.

8 BY adding to

9 Article – Environment

10 Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.
11 Implementation of the Chesapeake Bay Total Maximum Daily Load”

12 Annotated Code of Maryland

13 (2007 Replacement Volume and 2011 Supplement)

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

16 **Article – Environment**

17 **SUBTITLE 8. IMPLEMENTATION OF THE CHESAPEAKE BAY TOTAL MAXIMUM**
18 **DAILY LOAD.**

19 **4–801.**

20 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) “BAY TMDL” MEANS THE TOTAL MAXIMUM DAILY LOAD**
2 **(TMDL) FOR THE CHESAPEAKE BAY ESTABLISHED UNDER THE FEDERAL**
3 **CLEAN WATER ACT BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY ON**
4 **DECEMBER 29, 2010.**

5 **(2) “BAY TMDL” INCLUDES ANY MODIFICATIONS TO THE BAY**
6 **TMDL MADE BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY.**

7 **(C) (1) “WIP” MEANS A STATE WATERSHED IMPLEMENTATION PLAN**
8 **(WIP) APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO**
9 **IMPLEMENT THE BAY TMDL WITHIN THE STATE.**

10 **(2) “WIP” INCLUDES ANY MODIFICATIONS MADE BY THE STATE**
11 **TO A WIP.**

12 **4-802.**

13 **A LOCAL JURISDICTION MAY NOT BE REQUIRED TO IMPLEMENT A WIP**
14 **ACTIVITY OR STRATEGY UNLESS FUNDING SUFFICIENT TO PAY FOR THE**
15 **ACTIVITY OR STRATEGY IS PROVIDED BY THE STATE OR FEDERAL**
16 **GOVERNMENT.**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency**
18 **measure, is necessary for the immediate preservation of the public health or safety,**
19 **has been passed by a ye and nay vote supported by three-fifths of all the members**
20 **elected to each of the two Houses of the General Assembly, and shall take effect from**
21 **the date it is enacted.**