

## Chapter 432

(House Bill 937)

AN ACT concerning

### Wastewater Treatment Facilities – Distribution of Financial Assistance

FOR the purpose of requiring the Maryland Water Quality Financing Administration in the Department of the Environment to ensure a certain distribution of certain financial assistance among certain wastewater treatment facilities; and generally relating to financial assistance to wastewater treatment facilities.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1601(a), (b), (c), (ii), and (jj)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1604  
Annotated Code of Maryland  
(2007 Replacement Volume and 2013 Supplement)

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

#### Article – Environment

9–1601.

(a) Unless the context clearly requires otherwise, in this subtitle the following words have the meanings indicated.

(b) “Administration” means the Maryland Water Quality Financing Administration.

(c) “Bay Restoration Fund” means the Bay Restoration Fund established under § 9–1605.2 of this subtitle.

(ii) “Wastewater facility” means any equipment, plant, treatment works, structure, machinery, apparatus, interest in land, or any combination of these, which is acquired, used, constructed, or operated for the storage, collection, treatment, neutralization, stabilization, reduction, recycling, reclamation, separation, or disposal

of wastewater, or for the final disposal of residues resulting from the treatment of wastewater, including: treatment or disposal plants; outfall sewers, interceptor sewers, and collector sewers; pumping and ventilating stations, facilities, and works; programs and projects for controlling nonpoint sources of water pollution and for estuarine conservation and management; and other real or personal property and appurtenances incident to their development, use, or operation.

(jj) “Water Quality Fund” means the Maryland Water Quality Revolving Loan Fund.

9–1604.

(A) In addition to the powers set forth elsewhere in this subtitle, but subject to such rules or program directives as the Secretary may from time to time prescribe, the Administration may:

- (1) Adopt and alter an official seal;
- (2) Sue and be sued, plead, and be impleaded;
- (3) Adopt bylaws, rules, and regulations to carry out the provisions of this subtitle;
- (4) Maintain an office at such place as the Secretary may designate;
- (5) Employ consultants, accountants, attorneys, financial experts, and other personnel and agents as may be necessary in its judgment, and fix their compensation;
- (6) Establish regulations, criteria, or guidelines with respect to loans, loan agreements, loan obligations, grants, grant agreements, and grant obligations;
- (7) Receive and accept from any source, private or public, contributions, grants, or gifts of money or property;
- (8) Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to carrying out the powers in this subtitle to accomplish the purposes of the Administration;
- (9) Make loans, enter into loan agreements, and accept and enforce loan obligations;
- (10) Award grants, enter into grant agreements, and accept and enforce grant obligations;

(11) Subject to the prior approval of the Board and the Secretary, issue bonds under this subtitle; and

(12) Do all acts and things necessary or convenient to carry out the powers granted by this subtitle.

**(B) (1) THIS SUBSECTION APPLIES TO FINANCIAL ASSISTANCE PROVIDED BY THE ADMINISTRATION UNDER:**

**(I) THE WATER QUALITY FUND;**

**(II) THE BAY RESTORATION FUND;**

**(III) THE BIOLOGICAL NUTRIENT REMOVAL PROGRAM; AND**

**(IV) THE SUPPLEMENTAL ASSISTANCE PROGRAM.**

**(2) THE ADMINISTRATION SHALL ENSURE THE FAIR AND EQUITABLE DISTRIBUTION OF FINANCIAL ASSISTANCE AMONG WASTEWATER TREATMENT FACILITIES WITH A DESIGN CAPACITY OF LESS THAN 500,000 GALLONS PER DAY AND WASTEWATER TREATMENT FACILITIES WITH A DESIGN CAPACITY OF 500,000 GALLONS OR MORE PER DAY.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

**Approved by the Governor, May 5, 2014.**