M3 7lr0057 CF 7lr0145

By: The President (By Request - Administration) and Senators Bates, Cassilly, Edwards, Hershey, Hough, Jennings, Klausmeier, Mathias, Middleton, Norman, Reilly, Salling, Serafini, and Simonaire

Introduced and read first time: January 20, 2017

AN ACT concerning

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(a)

(1)

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

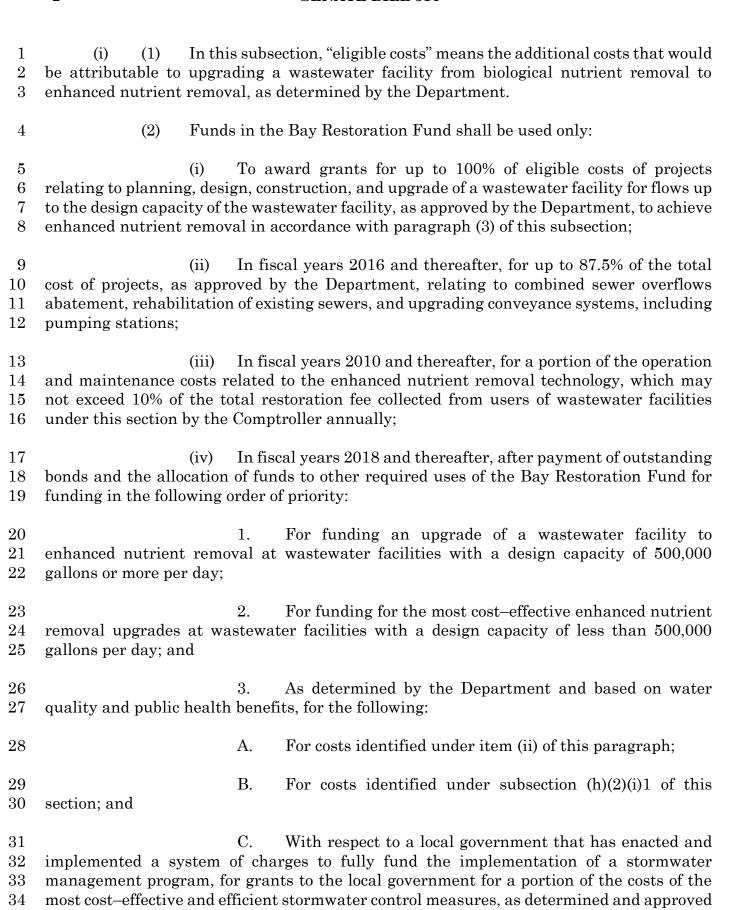
2	Clean Water Commerce Act of 2017
3	FOR the purpose of authorizing funds in the Bay Restoration Fund to be used for the costs
4	associated with the purchase of certain nutrient credits, not to exceed a certain
5	amount per year; requiring the Department of the Environment to consult with the
6	Secretary of Agriculture and the Secretary of Natural Resources when developing
7	certain regulations; and generally relating to the use of funds in the Bay Restoration
8	Fund.
9	BY repealing and reenacting, without amendments,
10	Article – Environment
11	Section 9–1605.2(a)(1) and (i)(1)
12	Annotated Code of Maryland
13	(2014 Replacement Volume and 2016 Supplement)
14	BY repealing and reenacting, with amendments,
15	Article – Environment
16	Section 9–1605.2(i)(2) and (l)
17	Annotated Code of Maryland
18	(2014 Replacement Volume and 2016 Supplement)
19	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20	That the Laws of Maryland read as follows:
21	${\bf Article-Environment}$
22	9–1605.2.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

There is a Bay Restoration Fund.

[Brackets] indicate matter deleted from existing law.





- by the Department, from the restoration fees collected annually by the Comptroller from users of wastewater facilities under this section;
- 3 (v) As a source of revenue or security for the payment of principal and interest on bonds issued by the Administration if the proceeds of the sale of the bonds will be deposited in the Bay Restoration Fund;
- 6 (vi) To earn interest on Bay Restoration Fund accounts;
- 7 (vii) For the reasonable costs of administering the Bay Restoration 8 Fund, which may not exceed 1.5% of the total restoration fees imposed on users of wastewater facilities that are collected by the Comptroller annually;
- (viii) For the reasonable administrative costs incurred by a local government or a billing authority for a water or wastewater facility collecting the restoration fees, in an amount not to exceed 5% of the total restoration fees collected by that local government or billing authority;
- 14 (ix) For future upgrades of wastewater facilities to achieve additional 15 nutrient removal or water quality improvement, in accordance with paragraphs (6) and (7) 16 of this subsection;
- 17 (x) For costs associated with the issuance of bonds;
- 18 (xi) Subject to the allocation of funds and the conditions under 19 subsection (h) of this section, for projects related to the removal of nitrogen from on—site 20 sewage disposal systems and cover crop activities; [and]
- 21 (xii) For costs associated with the implementation of alternate 22 compliance plans authorized in § 4–202.1(k)(3) of this article; AND
- (XIII) FOR COSTS ASSOCIATED WITH THE PURCHASE OF COST-EFFECTIVE NITROGEN AND PHOSPHORUS NUTRIENT CREDITS IN SUPPORT OF THE STATE'S EFFORTS TO RESTORE THE HEALTH OF THE CHESAPEAKE BAY, NOT TO EXCEED \$10,000,000 PER YEAR.
- 27 (l) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE Department shall adopt regulations that are necessary or appropriate to carry out the provisions of this section.
- 30 (2) REGULATIONS ADOPTED TO CARRY OUT SUBSECTION (I)(2)(XIII)
 31 OF THIS SECTION SHALL BE ADOPTED IN CONSULTATION WITH THE SECRETARY OF
 32 AGRICULTURE AND THE SECRETARY OF NATURAL RESOURCES.
- 33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.