

SENATE BILL 830

M3, J2

3lr2133

By: **Senator Hester**

Introduced and read first time: February 6, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2023

CHAPTER _____

1 AN ACT concerning

2 **Environmental Health Specialists and ~~On-Site Sewage Disposal Systems~~ Well**
3 **and Septic Systems Permitting – ~~Reform~~ Studies**
4 **(Environmental Health Systems Support Act of 2023)**

5 FOR the purpose of ~~requiring the Department of the Environment to develop and make~~
6 ~~available certain standardized permit forms; requiring a local health department to~~
7 ~~provide a certain applicant with certain information under certain circumstances;~~
8 ~~requiring the Maryland Department of Health to promote consistent standards and~~
9 ~~regulations governing environmental health specialists, host certain monthly~~
10 ~~information meetings, and develop an online tracking system for on-site sewage~~
11 ~~disposal system permits; requiring the Department of Budget and Management, on~~
12 ~~or before a certain date, to increase the number of full-time employees in the~~
13 ~~Department of the Environment by a certain number of permanent, classified~~
14 ~~positions; establishing the Environmental Health Specialist Student Loan~~
15 ~~Forgiveness Program; requiring an applicant selected to participate in the Program~~
16 ~~to sign a contract agreeing to a certain service obligation; authorizing the Office of~~
17 ~~Student Financial Assistance to make certain annual disbursements directly to a~~
18 ~~Program participant under certain circumstances; requiring the Department of the~~
19 ~~Environment and the Maryland Department of Health, in conjunction with the~~
20 ~~Board of Environmental Health Specialists, to conduct a certain study; requiring the~~
21 ~~Department of the Environment, to contract in consultation with the Department of~~
22 Legislative Services and the University of Maryland Agriculture and Food Systems
23 Extension Program, to conduct a certain study; and generally relating to studying
24 environmental health specialists and well and septic systems permitting.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~BY adding to~~

~~Article — Environment~~

~~Section 9-1114~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2022 Supplement)~~

~~BY adding to~~

~~Article — Health Occupations~~

~~Section 21-103 and 21-104~~

~~Annotated Code of Maryland~~

~~(2021 Replacement Volume and 2022 Supplement)~~

~~BY adding to~~

~~Article — Education~~

~~Section 18-3901 and 18-3902 to be under the new subtitle “Subtitle 39:
Environmental Health Specialist Student Loan Forgiveness Program”~~

~~Annotated Code of Maryland~~

~~(2022 Replacement Volume)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That ~~the Laws of Maryland read as follows:~~

~~Article — Environment~~

~~9-1114.~~

~~(A) THE DEPARTMENT SHALL DEVELOP AND MAKE AVAILABLE
STANDARDIZED PERMIT FORMS FOR THE INSTALLATION OF ON-SITE SEWAGE
DISPOSAL SYSTEMS.~~

~~(B) IF A LOCAL HEALTH DEPARTMENT DENIES AN APPLICATION FOR THE
INSTALLATION OF AN ON-SITE SEWAGE DISPOSAL SYSTEM, THE LOCAL HEALTH
DEPARTMENT SHALL PROVIDE THE APPLICANT WITH INFORMATION ON HOW TO
APPEAL THE DECISION TO THE DEPARTMENT.~~

~~Article — Health Occupations~~

~~21-103.~~

~~(A) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF THE
ENVIRONMENT, SHALL:~~

~~(1) PROMOTE CONSISTENT STANDARDS AND REGULATIONS UNDER
THIS TITLE;~~

~~(2) HOST MONTHLY INFORMATIONAL MEETINGS ON THE INTERPRETATION AND APPLICATION OF THIS TITLE AND CORRESPONDING REGULATIONS FOR LOCAL GOVERNMENT EMPLOYEES WHO ARE OR WORK WITH ENVIRONMENTAL HEALTH SPECIALISTS; AND~~

~~(3) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PRODUCE A TIMELINE AND FUNDING ESTIMATE FOR DEVELOPING AN ONLINE TRACKING SYSTEM FOR THE STATUS OF AN APPLICATION FOR THE INSTALLATION OF AND ASSOCIATED PERMITS FOR AN ON-SITE SEWAGE DISPOSAL SYSTEM.~~

~~(B) (1) THE DEPARTMENT SHALL DEVELOP THE TRACKING SYSTEM REQUIRED UNDER SUBSECTION (A)(3) OF THIS SECTION IN CONSULTATION WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY.~~

~~(2) THE DEPARTMENT SHALL CONSULT WITH PERMIT APPLICANTS, PERMIT HOLDERS, AND LOCAL HEALTH DEPARTMENTS IN EVALUATING THE TRACKING SYSTEM FOR ON-SITE SEWAGE DISPOSAL SYSTEM PERMIT APPLICATIONS.~~

~~21-104.~~

~~(A) ON OR BEFORE OCTOBER 1, 2024, THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL INCREASE THE NUMBER OF FULL-TIME EMPLOYEES IN THE DEPARTMENT OF THE ENVIRONMENT BY THREE PERMANENT, CLASSIFIED POSITIONS.~~

~~(B) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL BUDGET THE THREE POSITIONS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AS FOLLOWS:~~

~~(1) TWO ADMINISTRATORS; AND~~

~~(2) ONE ASSISTANT ATTORNEY GENERAL WITH EXPERIENCE IN ENVIRONMENTAL LAW ASSIGNED TO THE DEPARTMENT OF THE ENVIRONMENT AND DESIGNATED BY THE ATTORNEY GENERAL TO ADVISE ON MATTERS RELATED TO PERMITTING, INCLUDING PERMITS FOR ON-SITE SEWAGE DISPOSAL SYSTEMS.~~

~~(C) FOR FISCAL YEAR 2025, AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$350,000 TO FUND THE THREE PERMANENT, CLASSIFIED POSITIONS REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND RELATED OPERATING COSTS.~~

~~Article—Education~~

~~SUBTITLE 39. ENVIRONMENTAL HEALTH SPECIALIST STUDENT LOAN
FORGIVENESS PROGRAM.~~

~~18-3901.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.~~

~~(B) "EMERGENCY CIRCUMSTANCES" MEANS CONDITIONS THAT MAY
PRECLUDE A PARTICIPANT FROM FULFILLING THE SERVICE COMMITMENT,
INCLUDING DEATH, TOTAL AND PERMANENT DISABILITY, OR TEMPORARY
DISABILITY LASTING MORE THAN 2 YEARS.~~

~~(C) "ENVIRONMENTAL HEALTH SPECIALIST" MEANS AN INDIVIDUAL WHO
PRACTICES AS AN ENVIRONMENTAL HEALTH SPECIALIST.~~

~~(D) "PROGRAM" MEANS THE ENVIRONMENTAL HEALTH SPECIALIST
STUDENT LOAN FORGIVENESS PROGRAM.~~

~~(E) "QUALIFIED EDUCATIONAL LOAN" MEANS A GOVERNMENT,
COMMERCIAL, OR FOUNDATION LOAN FOR ACTUAL COSTS PAID FOR TUITION,
REASONABLE EDUCATION EXPENSES, AND REASONABLE LIVING EXPENSES
RELATED TO THE POSTSECONDARY EDUCATION OF AN ENVIRONMENTAL HEALTH
SPECIALIST.~~

~~18-3902.~~

~~(A) (1) THERE IS AN ENVIRONMENTAL HEALTH SPECIALIST STUDENT
LOAN ASSISTANCE REPAYMENT PROGRAM.~~

~~(2) THE OFFICE SHALL ADMINISTER THE PROGRAM.~~

~~(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE QUALIFIED
EDUCATIONAL LOAN FORGIVENESS FOR ENVIRONMENTAL HEALTH SPECIALISTS IN
THE STATE.~~

~~(C) TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM, AN INDIVIDUAL
SHALL:~~

~~(1) BE AN ENVIRONMENTAL HEALTH SPECIALIST WORKING FOR A
LOCAL HEALTH DEPARTMENT IN THE STATE WITH AT LEAST 1 FULL YEAR OF
SERVICE; AND~~

~~(2) SUBMIT AN APPLICATION TO THE OFFICE, IN THE FORM AND MANNER PRESCRIBED BY THE OFFICE.~~

~~(D) AN APPLICANT SELECTED TO PARTICIPATE IN THE PROGRAM SHALL SIGN A CONTRACT AGREEING TO COMPLETE A SERVICE OBLIGATION TO WORK IN THE STATE FOR 3 YEARS.~~

~~(E) EACH FISCAL YEAR, THE OFFICE MAY SELECT ELIGIBLE APPLICANTS FOR PARTICIPATION IN THE PROGRAM, WITHIN THE LIMITS OF AVAILABLE FUNDING.~~

~~(F) (1) THE OFFICE SHALL MAKE ANNUAL DISBURSEMENTS DIRECTLY TO A PARTICIPATING ENVIRONMENTAL HEALTH SPECIALIST OF \$6,000 OR THE BALANCE OF THE PARTICIPANT'S QUALIFIED EDUCATIONAL LOANS, WHICHEVER IS LESS, FOR EACH YEAR THAT A PARTICIPANT MEETS THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION, UP TO A MAXIMUM OF 3 YEARS.~~

~~(2) DISBURSEMENTS UNDER THE PROGRAM ARE SUBJECT TO APPLICABLE LAWS ON LOCAL, STATE, AND FEDERAL TAXATION.~~

~~(G) (1) THE OFFICE MAY WAIVE AN ENVIRONMENTAL HEALTH SPECIALIST'S SERVICE OBLIGATION UNDER THE PROGRAM IF EMERGENCY CIRCUMSTANCES PREVENT FULFILLMENT OF THE SERVICE OBLIGATION.~~

~~(2) IF AN ENVIRONMENTAL HEALTH SPECIALIST PARTICIPATING IN THE PROGRAM FAILS TO COMPLETE A FULL YEAR OF THE SERVICE OBLIGATION, THE OFFICE MAY PRORATE THE LOAN FORGIVENESS PAYMENT FOR THAT SERVICE YEAR.~~

~~(H) AN ENVIRONMENTAL HEALTH SPECIALIST PARTICIPATING IN THE PROGRAM SHALL:~~

~~(1) APPLY TO FEDERAL LOAN FORGIVENESS FOR WHICH THE ENVIRONMENTAL HEALTH SPECIALIST MAY QUALIFY; AND~~

~~(2) NOTIFY THE OFFICE IF THE INDIVIDUAL RECEIVES OTHER LOAN REPAYMENT ASSISTANCE.~~

~~(I) (1) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$150,000 TO THE PROGRAM.~~

~~(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DISTRIBUTED TO A SPECIAL FUND, TO BE USED ONLY FOR:~~

~~(I) PROVIDING LOAN FORGIVENESS UNDER THE PROGRAM;~~

~~AND~~

~~(II) ADMINISTERING THE PROGRAM.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

(a) The Department of the Environment and the Maryland Department of Health, in conjunction with the Board of Environmental Health Specialists, shall conduct a study on staffing needs for environmental health specialists in local health departments.

(b) The study shall include:

(1) an analysis of the educational and licensing requirements for environmental health specialists, including recommendations on any revisions to the requirements to aid in recruitment and retention;

(2) an analysis of the competitiveness of wages for current environmental health specialists compared to other states' specialists and specialists in the private sector; and

(3) an analysis of the feasibility of establishing an apprenticeship program for environmental health specialists.

(c) On or before December 1, 2023, the Department of the Environment and the Maryland Department of Health shall submit a report of their findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

~~SECTION 2.~~ SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The Department of the Environment, in consultation with the Department of Legislative Services and ~~shall contract with~~ the University of Maryland Agriculture and Food Systems Extension Program, ~~to~~ shall study the implications of the delegation of the Department's authority related to well and septic systems permitting to the Maryland Department of Health.

(2) The study shall address:

(i) the benefits of and issues with the existing system of the Department delegating authority related to well and septic systems;

(ii) lessons that can be drawn from other states' administrative structure and accountability measures; and

(iii) the optimal long-term staff organization structure to best address issues of delays, communication, and customer service.

(3) In conducting the study, the ~~University of Maryland Agriculture and Food Systems Extension Program~~ Department of the Environment shall consult with representatives from impacted stakeholder groups.

(b) (1) On or before December 1, 2023, the ~~University of Maryland Agriculture and Food Systems Extension Program~~ Department of the Environment shall submit ~~a~~ an interim report of its findings and any recommendations for legislative or administrative changes to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(2) On or before December 1, 2024, the Department of the Environment shall submit a final report of its findings and any recommendations for legislative or administrative changes to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

SECTION ~~4~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023. ~~Sections 2 and 3 of this Act~~ It shall remain effective for a period of 1 year 2 years and, at the end of June 30, ~~2024, Sections 2 and 3 of 2025~~, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.