

HOUSE BILL 1506

L2, M3, M1

4lr3344

By: **Delegate Conway**

Introduced and read first time: February 27, 2014

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 7, 2014

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2014

CHAPTER _____

1 AN ACT concerning

2 **Wicomico County – Northeast Maryland Waste Disposal Authority**

3 FOR the purpose of authorizing Wicomico County to become a participating county in
4 the Northeast Maryland Waste Disposal Authority by the County Council of
5 Wicomico County filing certified copies of a resolution of participation with the
6 Secretary of State and the Department of Legislative Services; and generally
7 relating to Wicomico County and the Northeast Maryland Waste Disposal
8 Authority.

9 BY repealing and reenacting, with amendments,
10 Article – Natural Resources
11 Section 3–903(a)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

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

16 **Article – Natural Resources**

17 3–903.

18 (a) (1) There is hereby created a body politic and corporate to be known as
19 the “Northeast Maryland Waste Disposal Authority” which is constituted a public

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.



1 instrumentality of the State of Maryland. The exercise by the Authority of the powers
2 conferred by this subtitle shall be deemed to be the performance of an essential public
3 function.

4 (2) The Authority was organized and commenced its activities on
5 October 21, 1980, when there were filed with the Secretary of State and the
6 Department of Legislative Services certified copies of the resolutions of participation of
7 at least two of the following four counties: Mayor and City Council of Baltimore,
8 Baltimore County, Maryland, Anne Arundel County, Maryland, and Harford County,
9 Maryland.

10 (3) Montgomery County, Maryland, also became a participating
11 county in the Authority by filing certified copies of a resolution of participation with
12 the Secretary of State and the Department of Legislative Services, whereupon
13 Montgomery County, Maryland, had all of the rights, privileges, and powers under
14 this subtitle that the other participating counties have or may have, including the
15 power to participate in projects and to enter into contracts with the Authority,
16 including the contracts relating to the Authority's Southwest Resource Recovery
17 Facility located in the City of Baltimore, in order to defray and provide for the
18 Authority's costs of acquiring, constructing, operating, or providing a project, including
19 debt service requirements of the Authority relating to a project.

20 (4) Carroll County, Maryland, may also become a participating county
21 in the Authority by the County Commissioners of Carroll County filing certified copies
22 of a resolution of participation with the Secretary of State and the Department of
23 Legislative Services, whereupon Carroll County, Maryland, shall have all of the rights,
24 privileges, and powers under this subtitle that the other participating counties have or
25 may have.

26 (5) Howard County, Maryland, may also become a participating
27 county in the Authority by the County Council of Howard County filing certified copies
28 of a resolution of participation with the Secretary of State and the Department of
29 Legislative Services, whereupon Howard County, Maryland, shall have all of the
30 rights, privileges, and powers under this subtitle that the other participating counties
31 have or may have.

32 (6) Frederick County, Maryland, may also become a participating
33 county in the Authority by the County Commissioners of Frederick County filing
34 certified copies of a resolution of participation with the Secretary of State and the
35 Department of Legislative Services, whereupon Frederick County, Maryland, shall
36 have all of the rights, privileges, and powers under this subtitle that the other
37 participating counties have or may have.

38 (7) Cecil County, Maryland, may also become a participating county in
39 the Authority by the Board of County Commissioners of Cecil County filing certified
40 copies of a resolution of participation with the Secretary of State and the Department
41 of Legislative Services, whereupon Cecil County, Maryland, shall have all of the

1 rights, privileges, and powers under this subtitle that the other participating counties
2 have or may have.

3 (8) WICOMICO COUNTY, MARYLAND, MAY ALSO BECOME A
4 PARTICIPATING COUNTY IN THE AUTHORITY BY THE COUNTY COUNCIL OF
5 WICOMICO COUNTY FILING CERTIFIED COPIES OF A RESOLUTION OF
6 PARTICIPATION WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF
7 LEGISLATIVE SERVICES, WHEREUPON WICOMICO COUNTY, MARYLAND, SHALL
8 HAVE ALL OF THE RIGHTS, PRIVILEGES, AND POWERS UNDER THIS SUBTITLE
9 THAT THE OTHER PARTICIPATING COUNTIES HAVE OR MAY HAVE.

10 [(8)] (9) Each resolution of participation contained:

11 (i) A declaration by the county of its intention and consent to
12 participate in the activities of the Authority; and

13 (ii) Such provisions, if any, as the participating counties
14 approved and required as being necessary or desirable for the Authority to be an
15 organization described in § 501(c)(3) of the Internal Revenue Code.

16 [(9)] (10) Each resolution of participation was presented by the chief
17 executive officer of a county to the body exercising legislative powers of that county
18 and was effective after adoption by such legislative body and approval by such chief
19 executive officer.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.