

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE
Revised

House Bill 973

(Prince George's County Delegation and Montgomery
County Delegation)

Environmental Matters

Education, Health, and Environmental Affairs

Washington Suburban Sanitary Commission - Commission Infractions -
Watershed Regulations
PG/MC 102-14

This bill increases the maximum preset fines that the Washington Suburban Sanitary Commission (WSSC) may establish for violations of specified watershed regulations from \$50 to \$150 for a first offense and from \$100 to \$300 for a repeat offense. The bill also increases the maximum fine by the same amounts for a first or a repeat offense that a person must pay if the District Court finds that the person violated specified WSSC watershed regulations.

Fiscal Summary

State Effect: None.

Local Effect: Minimal increase in WSSC fine revenue. Expenditures are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: A person who violates a watershed regulation adopted by WSSC has committed a commission infraction. A commission infraction does not include a violation of a watershed regulation declared by law to be a criminal offense.

WSSC is authorized to establish a schedule of preset fines for each conviction of a commission infraction. WSSC may impose a preset fine of up to \$50 for each conviction of a commission infraction and up to \$100 for a repeat offense.

The recipient of a citation for a commission infraction must pay the fine to WSSC within 20 calendar days after the receipt of the citation. A person found by the District Court to have committed a commission infraction must pay a fine of up to \$50 for a first offense or up to \$100 for a repeat offense.

Background: WSSC, a bi-county agency established by the Maryland General Assembly in 1918, is the eighth largest water and wastewater utility in the country. WSSC provides water and sewer services to 1.8 million residents in an area that comprises most of Montgomery and Prince George's counties (the Washington Suburban Sanitary District). WSSC has over 460,000 customer accounts, serves an area of approximately 1,000 square miles, and currently employs more than 1,500 people. The commission's fiscal 2014 approved budget totals \$1.4 billion, which includes \$698.8 million for the operating budget and \$742.2 million for the capital budget. In terms of facilities, the commission operates and maintains three reservoirs, two water filtration plants, six wastewater treatment plants, and more than 5,600 miles of water main lines and nearly 5,500 miles of sewer main lines.

Local Fiscal Effect: According to WSSC, 34 commission infractions occurred in fiscal 2013, resulting in approximately \$3,000 in fine revenue. Over the past five years, there were an average of 44 commission infractions each year and the commission collected an average of \$4,000 of fine revenue in each of those years. Fine revenue is distributed to the Water Operating Fund. Pursuant to this legislation, WSSC fine revenues will increase by a minimal amount.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Washington Suburban Sanitary Commission, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2014
mc/hlb Revised - House Third Reader - March 18, 2014

Analysis by: Michael Sanelli

Direct Inquiries to:
(410) 946-5510
(301) 970-5510