

SENATE BILL 105

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6lr0023

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request
– Departmental – NE Maryland Waste Disposal Authority)**

Requested: October 5, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 3, 2016

CHAPTER _____

1 AN ACT concerning

2 **Northeast Maryland Waste Disposal Authority – Name and Authority**

3 FOR the purpose of changing the name of the Northeast Maryland Waste Disposal
4 Authority to be the Maryland Regional Resource Management Authority;
5 authorizing the Authority to acquire, construct, reconstruct, rehabilitate, improve,
6 maintain, equip, lease, repair, and operate a resource recovery park; requiring the
7 Authority to utilize a certain zero waste hierarchy, to the extent practicable, under
8 certain circumstances; requiring the publishers of the Annotated Code of Maryland,
9 in consultation with the Department of Legislative Services, to replace references in
10 the Code to the term “Northeast Maryland Waste Disposal Authority” with the term
11 “Maryland Regional Resource Management Authority”; declaring the intent of the
12 General Assembly; altering a certain definition; defining ~~a certain term~~ terms; and
13 generally relating to the name and authority of the Northeast Maryland Waste
14 Disposal Authority.

15 BY renumbering

16 Article – Natural Resources
17 Section 3–904(h) through (j), respectively
18 to be Section 3–904(i) through (k), respectively
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2015 Supplement)

21 BY repealing and reenacting, with amendments,

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 Article – Natural Resources

2 Section 3–901 and 3–903(a)(1) to be under the amended subtitle “Subtitle 9.
3 Maryland Regional Resource Management Authority”

4 Annotated Code of Maryland

5 (2012 Replacement Volume and 2015 Supplement)

6 BY adding to

7 Article – Natural Resources

8 Section 3–904(f)(3) ~~and (h), and (l)~~ and 3–905(c)

9 Annotated Code of Maryland

10 (2012 Replacement Volume and 2015 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That Section(s) 3–904(h) through (j), respectively, of Article – Natural Resources of the
13 Annotated Code of Maryland be renumbered to be Section(s) 3–904(i) through (k),
14 respectively.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
16 as follows:

17 **Article – Natural Resources**

18 Subtitle 9. [Northeast Maryland Waste Disposal] **MARYLAND REGIONAL RESOURCE**
19 **MANAGEMENT** Authority.

20 3–901.

21 This subtitle shall be known as the [“Northeast Maryland Waste Disposal Authority
22 Act”] **“MARYLAND REGIONAL RESOURCE MANAGEMENT AUTHORITY”**.

23 3–903.

24 (a) (1) There is hereby created a body politic and corporate to be known as the
25 [“Northeast Maryland Waste Disposal Authority”] **“MARYLAND REGIONAL RESOURCE**
26 **MANAGEMENT AUTHORITY”**, which is constituted a public instrumentality of the State
27 of Maryland. The exercise by the Authority of the powers conferred by this subtitle shall be
28 deemed to be the performance of an essential public function.

29 3–904.

30 (f) **(3) THE TERM “PROJECT” INCLUDES A RESOURCE RECOVERY PARK.**

31 **(H) “RESOURCE RECOVERY PARK” MEANS A FACILITY OR PROPERTY USED**
32 **OR USEFUL OR HAVING PRESENT CAPACITY FOR FUTURE USE IN CONNECTION WITH:**

1 **(1) THE PROCESSING, UPGRADING, REMANUFACTURING, CLEANING,**
2 **SORTING, OR CONVERSION OF RECYCLED OR RECOVERED MATERIALS INTO**
3 **PRODUCTS OR USEFUL MATERIALS, INCLUDING HIGHER QUALITY MATERIALS;**

4 **(2) THE EXCHANGE, CONVERSION, OR REPURPOSING OF WASTE OR**
5 **RECYCLABLE OR RECOVERED MATERIALS INTO USEFUL MATERIALS OR**
6 **COMMODITIES;**

7 **(3) THE COLLECTION, PROCESSING, OR REDISTRIBUTION OF HUMAN**
8 **OR ANIMAL FOOD, INCLUDING FOOD BANKS AND DROP-OFF FACILITIES;**

9 **(4) THE WHOLESALE OR RETAIL SALES OF RECYCLED OR RECOVERED**
10 **MATERIALS, PRODUCTS DERIVED FROM RECYCLED OR RECOVERED MATERIALS, OR**
11 **USED GOODS;**

12 **(5) THE GENERATION, STORAGE, OR DISTRIBUTION OF SOLAR OR**
13 **OTHER RENEWABLE ENERGY IF ALL OR PART OF THE SOLAR OR OTHER RENEWABLE**
14 **ENERGY WILL BE SOLD OR OTHERWISE PROVIDED TO:**

15 **(I) A RESOURCE RECOVERY PARK OR ANOTHER PROJECT;**

16 **(II) A GOVERNMENT-OWNED OR GOVERNMENT-CONTROLLED**
17 **FACILITY OR PROPERTY; OR**

18 **(III) OTHER FACILITIES, PROPERTIES, OR PURCHASERS**
19 **APPROVED BY THE COUNTY IN WHICH THE RESOURCE RECOVERY PARK IS LOCATED;**

20 **(6) THE EDUCATION OF THE PUBLIC ABOUT:**

21 **(I) RESOURCE MANAGEMENT PRACTICES AND THE EFFECT OF**
22 **THOSE PRACTICES ON THE ENVIRONMENT; AND**

23 **(II) RECOVERY OR RECYCLING BUSINESS OPPORTUNITIES OR**
24 **CAREERS;**

25 **(7) THE ACCEPTANCE OF CARPET, WHITE GOODS, ELECTRONICS,**
26 **BATTERIES, MATTRESSES AND BULKY ITEMS, OR OTHER HARD-TO-RECYCLE ITEMS;**

27 **(8) THE BLENDING OF RECYCLABLE, RECYCLED, OR RECOVERED**
28 **MATERIALS WITH SOILS;**

29 **(9) THE STORAGE, PROCESSING, OR USE OF GREENHOUSE GASES;**

1 **(10) THE INCUBATION OF BUSINESSES THAT UTILIZE WASTE OR**
2 **RECYCLABLE, RECYCLED, OR RECOVERED MATERIALS IN THE PROCESSING,**
3 **PRODUCTION, OR DISTRIBUTION OF FINISHED PRODUCTS OR USEFUL MATERIALS;**

4 **(11) THE SALVAGING OF WOOD OR OTHER MATERIALS FROM**
5 **CONSTRUCTION DEBRIS OR OTHER WASTE STREAMS;**

6 **(12) THE RECLAMATION OF GLASS AND PROCESSING, SORTING, OR**
7 **CONVERSION OF GLASS INTO COMMODITIES, PRODUCTS, OR HIGHER GRADE GLASS;**

8 **(13) THE RECOVERY OF METALS OR OTHER MATERIALS FROM WASTE**
9 **STREAMS OR THE PROCESSING OR CONVERSION OF RECOVERED METALS OR**
10 **MATERIALS INTO HIGHER GRADE METALS OR MATERIALS, COMMODITIES, OR**
11 **PRODUCTS;**

12 **(14) THE ACCEPTANCE, PROCESSING, REFINING, DISTRIBUTION,**
13 **REUSE, OR SALE OF USED PETROLEUM-BASED PRODUCTS;**

14 **(15) THE COMPOSTING OR ANAEROBIC DIGESTION OF ORGANIC**
15 **MATERIALS AND DELIVERY, TRANSFER, OR SALES OF PRODUCTS SUCH AS COMPOST,**
16 **SOIL AMENDMENTS, OR BY-PRODUCTS;**

17 **(16) THE GENERATION OF FUELS AND OTHER PRODUCTS FROM**
18 **BIOMASS AND THE STORAGE, DISTRIBUTION, OR USE OF BIOMASS-DERIVED**
19 **PRODUCTS; OR**

20 **(17) ANY COMBINATION OF THE ACTIVITIES LISTED UNDER THIS**
21 **SUBSECTION, WHETHER OR NOT THE FACILITIES ARE LOCATED ON A SINGLE SITE.**

22 **(L) “ZERO WASTE HIERARCHY” MEANS A PROGRESSION OF METHODS,**
23 **POLICIES, AND STRATEGIES OF MATERIALS MANAGEMENT RANKED IN THE**
24 **FOLLOWING ORDER OF PRIORITY:**

25 **(1) SOURCE REDUCTION;**

26 **(2) REUSE;**

27 **(3) RECYCLING;**

28 **(4) COMPOSTING;**

29 **(5) ENERGY RECOVERY; AND**

30 **(6) DISPOSAL.**

1 3-905.

2 **(C) THE AUTHORITY SHALL UTILIZE THE ZERO WASTE HIERARCHY,**
 3 **DEFINED IN § 3-904 OF THIS SUBTITLE, TO THE EXTENT PRACTICABLE AS**
 4 **DETERMINED BY THE AUTHORITY BOARD OR THE COUNTY IN WHICH THE RESOURCE**
 5 **RECOVERY PARK IS LOCATED, WHEN ACQUIRING, CONSTRUCTING,**
 6 **RECONSTRUCTING, REHABILITATING, IMPROVING, MAINTAINING, EQUIPPING,**
 7 **LEASING (AS LESSOR OR AS LESSEE), REPAIRING, AND OPERATING A RESOURCE**
 8 **RECOVERY PARK.**

9 SECTION 3. AND BE IT FURTHER ENACTED, That, with no further action
 10 required by the General Assembly, the publishers of the Annotated Code of Maryland, in
 11 consultation with and subject to the approval of the Department of Legislative Services,
 12 shall replace throughout the Code, in a manner consistent with the changes made in
 13 Section 2 of this Act, any use of the term “Northeast Maryland Waste Disposal Authority”
 14 with the term “Maryland Regional Resource Management Authority”.

15 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General
 16 Assembly that the change in the name of the “Northeast Maryland Waste Disposal
 17 Authority” to the “Maryland Regional Resource Management Authority” does not affect the
 18 existence or powers of the Authority, its status under the Employees’ Retirement System
 19 of the State of Maryland or the Employees’ Pension System of the State of Maryland, or its
 20 meaning in State and local laws, or any contracts, bonds or other legal obligations, or any
 21 deeds, easements, leases or other real property instruments, or in any Resolution of
 22 participation.

23 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
 24 October 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.