
By: **Prince George's County Delegation and Montgomery County
Delegation**

Introduced and read first time: February 9, 2006
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Budget Approval**
3 **PG/MC 117-06**

4 FOR the purpose of providing that the operating budget or the capital budget of the
5 Washington Suburban Sanitary Commission may not exceed a certain amount
6 under certain circumstances; and generally relating to the approval of the
7 budget of the Washington Suburban Sanitary Commission.

8 BY repealing and reenacting, with amendments,
9 Article 29 - Washington Suburban Sanitary District
10 Section 1-204
11 Annotated Code of Maryland
12 (2003 Replacement Volume and 2005 Supplement)

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

15 **Article 29 - Washington Suburban Sanitary District**

16 1-204.

17 (a) The WSSC:

18 (1) Before January 15 of each year, shall prepare capital and operating
19 budgets for the next fiscal year, which shall include projects and contracts authorized
20 under §§ 1-206 and 1-208 of this subtitle, which shall be open for inspection by the
21 public and copies shall be made available to the public on request;

22 (2) Before February 15 of each year, shall hold a public hearing on the
23 proposed budgets after giving at least 21 days' notice of the hearing by publication in
24 at least 2 newspapers published and generally circulated in Montgomery County and
25 2 newspapers published and generally circulated in Prince George's County;

1 (3) On or before March 1 of each year, shall prepare and submit to the
2 County Executives of Montgomery and Prince George's counties, the capital and
3 operating budgets for the WSSC, for the next fiscal year together with the record of
4 any public hearing which was held on the budgets;

5 (4) Shall identify the sources of revenue allocable to the various proposed
6 expenditures;

7 (5) Shall propose a complete schedule of rates for the water consumption
8 and sewer usage charges and ad valorem tax levies that the WSSC considers
9 necessary to finance the budgets;

10 (6) Shall certify the amounts necessary to be raised for the next year for
11 the payment of interest and principal on all outstanding bonds and notes of the
12 WSSC; and

13 (7) Between March 1 and April 1 of each year, may submit to the County
14 Executives of Montgomery and Prince George's counties amendatory items to the
15 proposed budgets, together with a declaration of need identifying the sources of
16 revenue allocable to the proposed amendatory items.

17 (b) Each County Executive shall transmit to the County Council of the county:

18 (1) The proposed budgets, together with recommendations on the
19 proposed budgets, and the record of any public hearing held by the WSSC, not later
20 than March 15 of each year; and

21 (2) Amendatory items to the proposed budgets with their
22 recommendations within 10 days after receipt of the amendatory items.

23 (c) (1) Each County Council:

24 (i) On public notice, may hold public hearings on the proposed
25 budgets of the WSSC not earlier than 21 calendar days following receipt from the
26 County Executive;

27 (ii) May add to, delete from, increase, or decrease an item of either
28 budget, and shall transmit by May 15 any proposed changes to the other County
29 Council for review and concurrence; and

30 (iii) On or before June 1 of each year, shall approve the budgets and
31 transmit them to the WSSC.

32 (2) [(i)] If the County Councils fail to concur in a change with respect to
33 any item IN EITHER THE OPERATING BUDGET OR THE CAPITAL BUDGET by June 1,
34 [the failure to concur constitutes approval of the item submitted by the WSSC.

35 (ii) If the County Councils fail to approve the budgets on or before
36 June 1 of each year, the proposed budgets of the WSSC are adopted] THE FUNDING

1 LEVEL FOR THE RESPECTIVE BUDGET MAY NOT EXCEED THE FUNDING LEVEL
2 AVAILABLE FOR THE RESPECTIVE BUDGET FOR THE CURRENT FISCAL YEAR.

3 (d) Repealed.

4 (e) (1) The WSSC may submit to the County Executives of the counties
5 proposed supplements to the approved budgets. The submittals shall include full
6 particulars.

7 (2) Within 10 days of receipt of the proposed supplements, the County
8 Executive of each county shall transmit the proposed supplements to the County
9 Council of that county, together with recommendations.

10 (3) Each County Council:

11 (i) May hold public hearings on the proposed supplements; and

12 (ii) May add to, delete from, increase, or decrease the proposed
13 supplements.

14 (4) The failure of the County Councils to jointly approve or amend the
15 proposed supplements within 90 days from the date of transmittal of the proposed
16 supplements to the County Executives by the WSSC constitutes disapproval of the
17 supplements by the County Councils of Montgomery and Prince George's counties as
18 submitted by the WSSC.

19 (f) (1) Through joint action, the County Councils may recommend to the
20 WSSC rates for water consumption and sewer usage charges and ad valorem tax
21 levies on transmission of the approved budget of the WSSC.

22 (2) On receipt of the budgets and recommendations from the County
23 Councils, the WSSC shall approve a rate schedule taking into consideration the
24 proposed rate changes recommended by the joint action of the Councils.

25 (3) Subject to the provisions of § 6-103 of this article, the rates for sewer
26 and water usage charges shall be uniform throughout the sanitary district.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect October 1, 2006.