

HOUSE BILL 1423

M3

8lr2966
CF SB 674

By: **Delegates Hecht, Barkley, Beidle, Cardin, G. Clagett, V. Clagett, Howard, Kaiser, Lafferty, Lee, Niemann, Schuler, Shank, Sossi, Stull, Waldstreicher, and Weldon**

Introduced and read first time: February 8, 2008

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2008

CHAPTER _____

1 AN ACT concerning

2 **Water Resources – Groundwater Appropriation or Use – Priority Funding**
3 **Areas**

4 FOR the purpose of authorizing the Maryland Department of the Environment to give
5 priority to a public water system that supplies water to ~~a~~ certain priority
6 funding ~~area~~ areas in certain counties when appropriating or using
7 groundwater of the State under certain circumstances; authorizing the
8 Department to adopt certain regulations; and generally relating to the
9 appropriation or use of groundwater of the State.

10 BY repealing and reenacting, with amendments,
11 Article – Environment
12 Section 5–501
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2007 Supplement)

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

17 **Article – Environment**

18 5–501.

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 (a) In order to conserve, protect, and use water resources of the State in
 2 accordance with the best interests of the people of Maryland, it is the policy of the
 3 State to control, so far as feasible, appropriation or use of surface waters and
 4 groundwaters of the State. Also, it is State policy to promote public safety and welfare
 5 and control and supervise, so far as is feasible, construction, reconstruction, and repair
 6 of dams, reservoirs, and other waterworks in any waters of the State.

7 (B) (1) ~~WHEN IN ACCORDANCE WITH THE POLICY DECLARED IN THIS~~
 8 ~~SECTION, AND PROVIDED THAT IT WILL NOT JEOPARDIZE THE STATE'S~~
 9 ~~NATURAL RESOURCES, WHEN APPROPRIATING OR USING GROUNDWATER OF~~
 10 ~~THE STATE IN CARROLL, FREDERICK, OR WASHINGTON COUNTIES, THE~~
 11 ~~DEPARTMENT MAY GIVE PRIORITY TO A PUBLIC WATER SYSTEM THAT~~
 12 ~~PROVIDES WATER TO A:~~

13 (I) A MUNICIPAL CORPORATION, NOT INCLUDING THOSE
 14 AREAS ANNEXED AFTER JANUARY 1, 2000; OR

15 (II) A PRIORITY FUNDING AREA ESTABLISHED ON OR
 16 BEFORE JANUARY 1, 1997 2000, UNDER ~~§ 5-7B-03~~ § 5-7B-02(7) OF THE STATE
 17 FINANCE AND PROCUREMENT ARTICLE.

18 (2) THE DEPARTMENT MAY ADOPT REGULATIONS TO IMPLEMENT
 19 THIS SUBSECTION.

20 [(b)] (C) This subtitle is in addition to and not in substitution for any
 21 existing laws of the State.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 23 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.