

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Johnston

Typed by: Gail

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Proofread by _____

Checked by _____

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

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Budget Approval**

3 **PG/MC 104–08**

4 FOR the purpose of providing that if the county councils of Montgomery and Prince
5 George’s counties fail to concur in a change in the funding of an item in the
6 capital budget of the Washington Suburban Sanitary Commission (WSSC) by a
7 certain time, the funding level for that item may not exceed a certain level;
8 providing that if the county councils of Montgomery and Prince George’s
9 counties fail to approve the capital budget of the WSSC by a certain time, the
10 funding levels for the capital budgets may not exceed a certain level; and
11 generally relating to the capital budget of the Washington Suburban Sanitary
12 Commission.

13 BY repealing and reenacting, with amendments,
14 Article 29 – Washington Suburban Sanitary District
15 Section 1–204
16 Annotated Code of Maryland
17 (2003 Replacement Volume and 2007 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



20 **Article 29 – Washington Suburban Sanitary District**

21 1–204.

22 (a) The WSSC:

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

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

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

35 (4) Shall identify the sources of revenue allocable to the various
36 proposed expenditures;

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

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

43 (7) Between March 1 and April 1 of each year, may submit to the
44 County Executives of Montgomery and Prince George’s counties amendatory items to
45 the proposed budgets, together with a declaration of need identifying the sources of
46 revenue allocable to the proposed amendatory items.

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

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

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

54 (c) (1) Each County Council:

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

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

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

63 (2) (i) **1.** If the County Councils fail to concur in a change with
64 respect to **THE FUNDING OF** any item **IN THE OPERATING BUDGET OF THE WSSC**
65 by June 1, the failure to concur constitutes approval of the item submitted by the
66 WSSC.

67 **2. IF THE COUNTY COUNCILS FAIL TO CONCUR IN A**
68 **CHANGE WITH RESPECT TO THE FUNDING OF ANY ITEM IN THE CAPITAL BUDGET**
69 **OF THE WSSC, THE FUNDING LEVEL FOR THE ITEM MAY NOT EXCEED THE**
70 **FUNDING LEVEL FOR THE ITEM IN THE CAPITAL BUDGET FOR THE**
71 **IMMEDIATELY PRECEDING FISCAL YEAR.**

72 (ii) **1.** If the County Councils fail to approve the [budgets on
73 or before] **OPERATING BUDGET OF THE WSSC BY** June 1 of each year, the proposed
74 **OPERATING [budgets] BUDGET** of the WSSC [are] **IS** adopted.

75 **2. IF THE COUNTY COUNCILS FAIL TO APPROVE THE**
76 **CAPITAL BUDGET OF THE WSSC BY JUNE 1 OF EACH YEAR, THE FUNDING**
77 **LEVEL FOR THE CAPITAL BUDGET MAY NOT EXCEED THE FUNDING LEVEL FOR**
78 **THE CAPITAL BUDGET FOR THE IMMEDIATELY PRECEDING FISCAL YEAR.**

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

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

85 (3) Each County Council:

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

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

89 (4) The failure of the County Councils to jointly approve or amend the
90 proposed supplements within 90 days from the date of transmittal of the proposed
91 supplements to the County Executives by the WSSC constitutes disapproval of the
92 supplements by the County Councils of Montgomery and Prince George’s counties as
93 submitted by the WSSC.

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

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

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

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