

SENATE BILL 1078

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By: **Washington County Senators**

Introduced and read first time: February 2, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Washington County Regional Water and Wastewater Governance**

3 FOR the purpose of establishing the Task Force on Washington County Regional Water
4 and Wastewater Governance to study the water supply, wastewater treatment, and
5 approaches to water and wastewater governance in Washington County; and
6 generally relating to the Task Force on Washington County Regional Water and
7 Wastewater Governance.

8 Preamble

9 WHEREAS, The water and wastewater systems developed by one or more of the nine
10 municipalities located within Washington County have served the needs of residents and
11 have supported the development and expansion of areas both within and outside of their
12 corporate boundaries; and

13 WHEREAS, Washington County developed water and wastewater systems, serving
14 areas outside of these incorporated municipalities, both independently and through joint
15 service areas; and

16 WHEREAS, The water and wastewater systems infrastructure is aging, occasionally
17 lacking in capacity and pressure, and sometimes devoid of the latest technological
18 advances; and

19 WHEREAS, The State has mandated that operators of the water and wastewater
20 systems comply with minimum treatment, removal, and reduction State standards; now,
21 therefore,

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
23 That:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) There is a Task Force on Washington County Regional Water and Wastewater
2 Governance.

3 (b) It is the intent of the General Assembly that the Task Force strengthens and
4 improves the governance, operation, and efficiency of the water and wastewater utility in
5 the region as a public asset.

6 (c) (1) The Task Force consists of the following members:

7 (i) one member of the Senate of Maryland, appointed by the
8 President of the Senate;

9 (ii) one member of the House of Delegates, appointed by the Speaker
10 of the House;

11 (iii) one member designated by the Maryland Municipal League;

12 (iv) one member designated by the Maryland Association of
13 Counties;

14 (v) two members designated by the Hagerstown City Council; and

15 (vi) two members designated by the Washington County
16 Commissioners.

17 (2) Each member shall:

18 (i) have knowledge of:

19 1. water infrastructure;

20 2. wastewater infrastructure; or

21 3. the financing of water or wastewater infrastructure; or

22 (ii) represent ratepayers in their respective jurisdiction.

23 (d) The members shall jointly designate a chair of the Task Force.

24 (e) Washington County and the City of Hagerstown shall jointly provide staff for
25 the Task Force.

26 (f) A member of the Task Force:

27 (1) may not receive compensation as a member of the Task Force; but

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- 1 7. planning for capital improvements;
- 2 8. emergency management;
- 3 9. rate affordability and stability for customers;
- 4 10. governance;
- 5 11. financing;
- 6 12. future system capacity expansion;
- 7 13. the decision-making processes; and
- 8 14. the optimization of customer service, system reliability, or
- 9 interjurisdictional collaboration;

10 (vi) analyze the fiscal implications and the efficiencies of each
11 alternative governance structure, considering estimated short- and long-term costs,
12 including cost savings and benefits associated with:

- 13 1. systems transitions;
- 14 2. asset leases and capital planning;
- 15 3. rate restructuring for customers and other wholesale
- 16 stakeholders;
- 17 4. debt consolidation and extension;
- 18 5. staffing and pension liabilities; and
- 19 6. other relevant costs to jurisdictions or customers served by
- 20 the shared systems; and

21 (vii) recommend:

- 22 1. a governance model best suited for water and wastewater
- 23 systems in the region; and
- 24 2. the necessary legislation and funding to establish the
- 25 recommended model.

26 (2) To assist in the completion of the study required under paragraph (1)
27 of this subsection, the Task Force shall hire a consultant engineering firm.

1 (h) In developing the recommendations and report required under this section,
2 the Task Force shall consult with the Department of the Environment and the Maryland
3 Environmental Service.

4 (i) For fiscal year 2026, the Governor shall include in the annual budget bill an
5 appropriation of \$750,000 for the completion of the report required under this section.

6 (j) On or before July 1, 2026, the Task Force shall report its findings and
7 recommendations to:

8 (1) each municipality in Washington County;

9 (2) the City of Hagerstown;

10 (3) the county commissioners of Washington County;

11 (4) the Washington County delegation to the General Assembly; and

12 (5) in accordance with § 2-1257 of the State Government Article, the
13 General Assembly.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2024. It shall remain effective for a period of 2 years and 3 months and, at the
16 end of December 31, 2026, this Act, with no further action required by the General
17 Assembly, shall be abrogated and of no further force and effect.