

# SENATE BILL 509

M3, M1

5lr2208

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By: **Senators Hough, Bates, Eckardt, Montgomery, Ready, and Young**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Northeast Maryland Waste Disposal Authority – Purpose, Appointments, and**  
3 **Compensation**

4 FOR the purpose of altering the purpose of the Northeast Maryland Waste Disposal  
5 Authority; altering the appointment of the executive director and the general counsel  
6 for the Authority; requiring the Authority to recommend to the Governor  
7 compensation for the executive director and the general counsel; defining certain  
8 terms; and generally relating to the Northeast Maryland Waste Disposal Authority.

9 BY renumbering

10 Article – Natural Resources  
11 Section 3–904(h) through (j), respectively  
12 to be Section 3–904(i) through (k), respectively  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2014 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Natural Resources  
17 Section 3–902 and 3–903(c)  
18 Annotated Code of Maryland  
19 (2012 Replacement Volume and 2014 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article – Natural Resources  
22 Section 3–903(a)(1) and 3–904(a)  
23 Annotated Code of Maryland  
24 (2012 Replacement Volume and 2014 Supplement)

25 BY adding to

26 Article – Natural Resources  
27 Section 3–904(h) and (l)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2012 Replacement Volume and 2014 Supplement)

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

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

9 **Article – Natural Resources**

10 3–902.

11 For the benefit of the people of the State of Maryland, the increase of their commerce,  
12 welfare and prosperity, and the improvement of their health and living conditions, it is  
13 essential that provision be made for the efficient collection and disposal of waste on a  
14 regional basis from both public and private sources in compliance with State and federal  
15 laws, regulations, and policies and for [the generation of energy and] the recovery of  
16 useable resources from such waste to the extent practicable. It is the purpose of this subtitle  
17 to assist certain participating political subdivisions of this State, other public entities and  
18 the private sector of the economy to provide adequate [waste disposal] facilities (including  
19 [those which provide for energy generation and] resource recovery **PARKS**) [and facilities  
20 for the generation of steam, electricity, or other forms of energy from fuels which are  
21 derived from or are otherwise related to waste disposal facilities] **THAT PROMOTE AND**  
22 **IMPLEMENT A ZERO WASTE HIERARCHY** by providing a regional coordinating agency and  
23 a financing vehicle for such facilities. It is the purpose of this subtitle to assist the  
24 participating counties to effect [waste disposal] **RESOURCE MANAGEMENT** programs on a  
25 regional basis and to that end this subtitle provides for the creation of the Authority. It is  
26 the intention and purpose of this subtitle that, without in any way limiting the discretion  
27 of the Authority, the Authority and the Maryland Environmental Service cooperate to the  
28 maximum extent practicable in effecting a regional [waste disposal] **RESOURCE**  
29 **RETRIEVAL** program in the participating counties.

30 3–903.

31 (a) (1) There is hereby created a body politic and corporate to be known as the  
32 “Northeast Maryland Waste Disposal Authority” which is constituted a public  
33 instrumentality of the State of Maryland. The exercise by the Authority of the powers  
34 conferred by this subtitle shall be deemed to be the performance of an essential public  
35 function.

36 (c) The [Authority] **GOVERNOR** shall appoint[, subject to the approval of the  
37 Governor,] an executive director [. The executive director may not be a member of the  
38 Authority] **FOR THE AUTHORITY**. The [Authority] **GOVERNOR** may also appoint[, subject

1 to the approval of the Governor,] a **FULL-TIME OR PART-TIME** general counsel [, either  
2 on a full-time or a part-time basis as the Authority may determine,] **FOR THE**  
3 **AUTHORITY** or [it] **THE GOVERNOR** may otherwise provide for the provision of necessary  
4 legal services to the Authority. The **EXECUTIVE DIRECTOR AND, IF APPOINTED, THE**  
5 general counsel [shall] **MAY** not be a member of the Authority. Both the executive director  
6 and the general counsel shall serve at the pleasure of the [Authority, and shall receive such  
7 compensation as may be determined by the Authority] **GOVERNOR. THE AUTHORITY**  
8 **SHALL RECOMMEND TO THE GOVERNOR COMPENSATION FOR THE EXECUTIVE**  
9 **DIRECTOR AND, IF APPOINTED, THE GENERAL COUNSEL.**

10 3-904.

11 (a) As used in this subtitle, the words and terms listed in this section have the  
12 meaning given, unless the context clearly indicates another or different meaning.

13 (H) **“RESOURCE RECOVERY PARK” MEANS THE COLOCATION OF REUSE,**  
14 **RECYCLING, COMPOST PROCESSING, MANUFACTURING, AND RETAIL BUSINESS IN A**  
15 **CENTRAL FACILITY.**

16 (L) **“ZERO WASTE HIERARCHY” MEANS THE ZERO WASTE HIERARCHY THAT:**

17 (1) **ASSESSES:**

18 (I) **THE CARBON LIFE CYCLE OF MATERIALS;**

19 (II) **THE ENERGY USED TO EXTRACT VIRGIN RESOURCES;**

20 (III) **THE ENERGY USED TO MANUFACTURE A PRODUCT; AND**

21 (IV) **THE ENERGY USED TO TRANSPORT A PRODUCT TO MARKET;**

22 **AND**

23 (2) **HAS BEEN ADOPTED BY THE ZERO WASTE INTERNATIONAL**  
24 **ALLIANCE.**

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2015.