

CHAPTER 671

(Senate Bill 308)

AN ACT to add new Section 53A to Article 96A of the Annotated Code of Maryland (1964 Replacement Volume), title "Water Resources", subtitle "Other Powers and Functions"; to follow immediately after Section 53 thereof, to specify the powers of the Department of Water Resources in ~~determining~~ ESTIMATING water storage needs in federally-constructed reservoirs in the State, AND to authorize contracts with federal authorities for repayment of water supply costs. ; ~~to assess costs upon water supply users, to transfer responsibilities to responsible agencies and to cooperate with federal agencies in establishing procedures for operation of reservoirs.~~

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 53A be and it is hereby added to Article 96A of the Annotated Code of Maryland (1964 Replacement Volume), title "Water Resources", subtitle "Other Powers and Functions", to follow immediately after Section 53 thereof, and to read as follows:

53A.

(a) When there arises a need in the State for (1) water supply storage or (2) storage for streamflow regulations for quality control, either or both which can be provided by a federally-constructed reservoir, and the cost of storage is non-reimbursable (when used for streamflow regulation) or is to be repaid by non-federal interests (when used for water supply) ; in accordance with applicable provisions of the Federal Water Supply Act and the Federal Water Pollution Control Act, the Department shall assume the following responsibilities:

(1) The Department, after consulting with all concerned agencies and jurisdictions shall determine ESTIMATE

(a) the amount of water supply storage required to meet both initial and future needs in the potential service area or areas within the State; and

(b) the need for storage for regulation of streamflow for quality control and the beneficiaries therefrom.

The Department shall contract with the appropriate federal authorities for repayment of costs for initial water supply. The Department shall furnish reasonable assurance that costs allocated to future water supply for use in Maryland will be repaid. ~~in accordance with provisions of applicable federal legislation.~~ When the future water supply is required, the Department shall contract with the federal authorities for repayment. ~~In no case shall the contractual obligations with the federal government exceed the total assessment to be paid by the water users.~~

(2) In accordance with the procedures of applicable state law, the Department shall assess on an annual basis or otherwise the cost thereof upon water supply users or any classification of them specifically benefited thereby to a measurable extent.