

BY repealing and reenacting, with amendments,

Article - Natural Resources
Section 3-903(a)
Annotated Code of Maryland
(1974 Volume and 1982 Supplement)

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

Article - Natural Resources

3-903.

(a) There is hereby created a body politic and corporate to be known as the "Northeast Maryland Waste Disposal Authority" which is constituted a public instrumentality of the State of Maryland. The exercise by the Authority of the powers conferred by this subtitle shall be deemed to be the performance of an essential public function. The Authority shall be deemed organized and shall commence its activities when there shall have been filed with the Secretary of State and the Department of Legislative Reference certified copies of the resolutions of participation of at least two of the following four counties: Mayor and City Council of Baltimore, Baltimore County, Maryland, Anne Arundel County, Maryland, and Harford County, Maryland. MONTGOMERY COUNTY, MARYLAND, MAY ALSO BECOME A PARTICIPATING COUNTY IN THE AUTHORITY BY FILING CERTIFIED COPIES OF A RESOLUTION OF PARTICIPATION WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LEGISLATIVE REFERENCE, WHEREUPON MONTGOMERY COUNTY, MARYLAND SHALL HAVE ALL OF THE RIGHTS, PRIVILEGES, AND POWERS UNDER THIS SUBTITLE THAT THE OTHER PARTICIPATING COUNTIES HAVE OR MAY HAVE, INCLUDING THE POWER TO PARTICIPATE IN PROJECTS AND TO ENTER INTO CONTRACTS WITH THE AUTHORITY, INCLUDING THE CONTRACTS RELATING TO THE AUTHORITY'S SOUTHWEST RESOURCE RECOVERY FACILITY LOCATED IN THE CITY OF BALTIMORE, IN ORDER TO DEFRAID AND PROVIDE FOR THE AUTHORITY'S COSTS OF ACQUIRING, CONSTRUCTING, OPERATING, OR PROVIDING A PROJECT, INCLUDING DEBT SERVICE REQUIREMENTS OF THE AUTHORITY RELATING TO A PROJECT. The resolution of participation shall contain:

(1) A declaration by the county of its intention and consent to participate in the activities of the Authority; and

(2) Such provisions, if any, as the participating counties may approve and require as being necessary or desirable for the Authority to be an organization described in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended. Each resolution of participation shall be presented by the chief executive officer of a county to the body exercising legislative powers of that county and shall be effective after adoption by such legislative body and approval by such chief executive officer.