

(2) MONTGOMERY COUNTY MAY ESTABLISH A STORMWATER MANAGEMENT DISTRICT, WHICH MAY INCLUDE ALL THE LAND WITHIN ITS BOUNDARIES.

(3) WITHIN ITS DISTRICT, EACH COUNTY SHALL EXERCISE ALL THE RIGHTS, POWERS, AND RESPONSIBILITIES FOR STORMWATER MANAGEMENT, AS DEFINED IN THIS SUBTITLE, IN ORDER TO MAKE AVAILABLE TO THE RESIDENTS AND PROPERTY OWNERS OF THE DISTRICT AN EFFICIENT, OPERATING SERVICE WITH ADEQUATE FACILITIES FOR DEVELOPMENT AND PROMOTION OF THE SAFETY OF LIFE AND PROPERTY.

(4) THE DISTRICT SHALL BE A SPECIAL TAXING DISTRICT FOR THE PURPOSE OF STORMWATER MANAGEMENT. THE COUNTIES MAY ESTABLISH ONE OR MORE SPECIAL TAXING AREAS WITHIN THEIR DISTRICTS.

(C) THE WSSC MAY ENTER INTO AGREEMENTS WITH PRINCE GEORGE'S COUNTY AND MONTGOMERY COUNTY TO PERFORM ANY STORMWATER MANAGEMENT ACTIVITIES ON BEHALF OF THE COUNTY AS EACH COUNTY DEEMS NECESSARY AND APPROPRIATE TO MAINTAIN EFFECTIVE STORMWATER MANAGEMENT PROGRAMS IN THE STORMWATER MANAGEMENT DISTRICT.

(D) (1) ALL OF-THE-FOLLOWING PROPERTY OF THE WSSC THAT THE WSSC AND THE APPLICABLE COUNTY MUTUALLY DETERMINE TO BE PRIMARILY USED FOR STORMWATER MANAGEMENT IS DEEMED TRANSFERRED EFFECTIVE JULY 1, 1987, TO THE COUNTIES AS PROVIDED IN THIS SECTION, AND THE WSSC SHALL EXECUTE ANY INSTRUMENTS OF TRANSFER AS ARE NECESSARY TO EVIDENCE THE TRANSFERS:

(I) ALL REAL AND PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION ALL FEES, LEASEHOLDS, EASEMENTS, RIGHTS-OF-WAY, BUILDINGS, FIXTURES, SYSTEMS, AND EQUIPMENT, OWNED OR HELD BY THE WSSC FOR THE PRIMARY PURPOSE OF STORMWATER MANAGEMENT IS TRANSFERRED TO THE COUNTY IN WHICH THE PROPERTY IS LOCATED OR AFFIXED; AND

(II) ALL TANGIBLE AND INTANGIBLE PERSONAL PROPERTY, INCLUDING WITHOUT LIMITATION ALL EQUIPMENT, CONSTRUCTION MATERIALS, FEES, FEES-IN-LIEU, CONTRIBUTIONS, RESERVE FUNDS, SINKING FUNDS, CONTRACTS, AGREEMENTS, CLAIMS, DEMANDS, AND ACTIONS, OWNED OR HELD BY THE WSSC FOR THE PRIMARY PURPOSE OF STORMWATER MANAGEMENT IS TRANSFERRED TO THE COUNTY IN WHICH IS LOCATED THE REAL PROPERTY TO WHICH THE PERSONAL PROPERTY RELATES, OR IF UNRELATED TO SPECIFIC PROPERTY, IS TRANSFERRED IN PROPORTION TO THE REAL PROPERTY ACREAGE TRANSFERRED TO EACH COUNTY UNDER THIS SECTION.

(2) NOTWITHSTANDING THIS SUBSECTION, LIABILITIES ARISING FROM STORMWATER MANAGEMENT ACTIVITIES--PERFORMED--BY--THE WSSC BEFORE JULY 17, 1987, SHALL REMAIN THE RESPONSIBILITY OF WSSC THE WSSC SHALL RETAIN SUFFICIENT FUNDS TO PAY FOR DEBT SERVICE ACCRUING PRIOR TO OCTOBER 1, 1987, ON OUTSTANDING BONDS ISSUED BY