

# 2012 Legislative Wrap-Up



*Successfully Supported Final Passage-*

## **Sustainable Growth and Agricultural Preservation Act of 2012 (SB 236)**

This bill encourages sustainable growth by assisting local communities in moving septic growth away from areas where it will contribute to harmful land development practices and pollution. This bill authorizes local jurisdictions to adopt certain tier designations, for inclusion in local comprehensive plans; authorizes a local jurisdiction to submit proposed tier designations to the Department of Planning before adoption for certain purposes; establishing certain mandatory and certain discretionary provisions relating to the adoption of certain tiers by certain local jurisdictions; requiring a local jurisdiction to provide

documentation to the Department of Planning if the jurisdiction does not adopt a certain tier; requiring growth tiers adopted by a local jurisdiction to meet certain criteria; prohibiting the approval of a residential major subdivision if a local jurisdiction has established certain tiers unless a planning board reviews and recommends approval under certain circumstances; establishing the requirements for the review of a residential major subdivision by a planning board, etc. <http://mlis.state.md.us/2012rs/billfile/sb0236.htm>

## **Environment - Bay Restoration - Fees (HB 446)**

This legislation doubled the Bay Restoration Fund (BRF) fee to \$5 per month for most households and Equivalent Dwelling units (EDU) served by wastewater treatment plants and on-site sewage disposal systems. The change will make it possible to dramatically reduce levels of nutrient pollution entering Maryland waterways by funding upgrades to the state's 67 major wastewater treatment plants, upgrades to septic systems and the planting of cover crops. For wastewater treatment plant users and on-site systems not discharging to the Chesapeake Bay and Coastal Bay watersheds, the fee remains at the current level of \$2.50 per month per household/EDU. The bill also requires that BRF fee billing authorities develop a financial hardship fee waiver plan for low income households. Collection of this fee is set to begin July 1, 2012. The legislation will also allow for grants to local jurisdictions for cost-efficient stormwater management projects such as tree planting and stream buffers if the jurisdiction has implemented a stormwater utility fee.

<http://mlis.state.md.us/2012rs/billfile/hb0446.htm>

**Stormwater Management Watershed Protection and Restoration Program, (HB 987: SB 614)**

This bill requires the largest jurisdictions to implement a stormwater utility fee to provide the funding needed to reduce stormwater pollution. Stormwater pollution from urban and suburban communities is the source of roughly one-fifth of the nitrogen and phosphorus polluting the Chesapeake Bay.

<http://mlis.state.md.us/2012rs/billfile/hb0987.htm>,

**PLAN MARYLAND**

**Department of Planning – State Development Plan – Use and Conflicts of Law – (HB 1201)**

This bill requires that the Smart Growth Subcabinet meet at least biannually with certain individuals to discuss certain local government issues; prohibiting the State Development Plan from being used to deny a State-issued permit or certain State funding; clarifying that the Plan does not supersede any State statute or regulation or any local ordinance or regulation, affect the delegation of planning and zoning powers granted by the State to local jurisdictions under certain provisions of law, or overturn or prevent a decision of a local jurisdiction to fund a project; prohibiting the Plan from requiring a local government to change or alter a local ordinance, regulation, or comprehensive plan; providing for the effective date of certain provisions of this Act; correcting a certain cross-reference; providing for the termination of certain provisions of this Act; and generally relating to 1 restrictions on the use and effect of the State Development Plan.

<http://mlis.state.md.us/2012rs/billfile/hb1201.htm>