

basic main facilities of a sewerage system for the collection of sewage and industrial wastes from lateral or collector sewers. The petition must show and the Department must find ~~[(1)]~~ that the construction of the proposed facilities are necessary for the protection of the public health ~~[and (2) that]~~. *It shall further state that the county, municipality or duly authorized agency, is not able to finance the construction of said facilities by the reasonable use of normal financing methods such as the ad valorem tax, front-foot benefit assessments, service charges, connection charges, and available State and Federal assistance [.] which statement must be certified by a qualified bond counsel.* In the event the Department finds the foregoing facts exist, then it may approve a State grant from the Sanitary Facilities Construction Fund in an amount no greater than the local funds appropriated for said construction. The counties and municipalities of the State are hereby authorized to appropriate general funds to participate in the program authorized by this section. In the event a special governmental agency is charged with providing sanitary facilities within a county or municipality, such local general funds may be made available to such agency for the purposes authorized by this section.

(A) A SANITARY FACILITIES FUND IS HEREBY ESTABLISHED. IT SHALL CONSIST OF TWO PARTS, AS FOLLOWS:

1. THE PLANNING PART WHICH SHALL BE AVAILABLE TO THE STATE DEPARTMENT OF HEALTH TO FINANCE PLANNING FOR SEWERAGE FACILITIES. THE STATE DEPARTMENT OF HEALTH IS HEREBY AUTHORIZED TO UTILIZE FUNDS APPROPRIATED IN THE PROGRAM OF THE ANNUAL STATE OPERATING BUDGET WHICH PROVIDES FOR GENERAL LOCAL HEALTH SERVICES, FOR THIS PURPOSE. WHEN SO USED, THE PROPORTION OF STATE, COUNTY, AND LOCAL FUNDS, RESPECTIVELY, SHALL BE THAT SPECIFIED FOR THE FINANCING OF MINIMUM HEALTH SERVICES. THE PLANNING FOR SEWERAGE FACILITIES TO BE FINANCED IN THIS MANNER MAY BE FINANCED JOINTLY BY, OR UNDER THE JOINT AUTHORITY OF THE STATE DEPARTMENT OF HEALTH AND ANY COUNTY OR BALTIMORE CITY.

2. THE CONSTRUCTION PART WHICH SHALL BE AVAILABLE TO THE BOARD OF PUBLIC WORKS TO FINANCE CONSTRUCTION OF BASIC MAIN FACILITIES OF A SEWERAGE SYSTEM, AS DEFINED IN THE FEDERAL WATER POLLUTION CONTROL ACT, FOR THE COLLECTION AND TREATMENT OF SEWAGE AND INDUSTRIAL WASTES FROM LATERAL OR COLLECTOR SEWERS. FUNDS FOR THIS PART SHALL BE THOSE WHICH MAY BE AVAILABLE FROM SPECIFICALLY AUTHORIZED SANITARY FACILITIES SEWERAGE LOANS. SUCH FUNDS SHALL BE AVAILABLE UNDER THE CONDITIONS SET FORTH IN THE LEGISLATION AUTHORIZING THE FUNDS.

(B) THE STATE DEPARTMENT OF HEALTH AND THE LOCAL GOVERNMENTS ARE AUTHORIZED TO ENTER INTO JOINT FINANCING AGREEMENTS FOR THE UTILIZATION OF WHATEVER FEDERAL GRANTS MAY BE AVAILABLE FOR ANY OF THE PURPOSES CITED IN THIS SECTION.