

BY: Senator Stoltzfus

AMENDMENTS TO SENATE BILL NO. 136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "- Reinstatement of Fee and Permissible Uses of Fund"; in line 5, after the second semicolon, insert "exempting under certain circumstances certain persons from the requirement that certain expenditures from the fund be reimbursed to the Department of the Environment;"; and in line 12, after "9-275" insert "and 9-276".

AMENDMENT NO. 2

On page 3, before line 7, insert:

"9-276.

(a) [All] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, ALL expenditures from the State Used Tire Cleanup and Recycling Fund made by the Department under § 9-275(a)(1) of this subtitle in response to the storage or disposal of used tires at a particular site shall be reimbursed to the Department for the State Used Tire Cleanup and Recycling Fund by the owner or operator of the site or any other person who caused the tires to be stored or disposed of at the site in violation of this subtitle.

(b) In addition to any other legal action authorized by this subtitle, the Attorney General may bring an action to recover costs and interest from any person who fails to make reimbursement as required under subsection (a) of this section.

(c) The Department may recover costs incurred by the Department under § 9-275(a)(1) of this subtitle whether or not the discarded tires were disposed of or stored at the site before July 1, 1989.

(D) THIS SECTION DOES NOT APPLY TO EXPENDITURES RELATED TO

(Over)

REMOVAL, RESTORATION, OR REMEDIAL ACTION IN RESPONSE TO THE DISPOSAL OR STORAGE OF SCRAP TIRES IN VIOLATION OF THIS SUBTITLE IF:

(1) THE OWNER OF THE SITE ACQUIRED THE PROPERTY CONTAINING THE SCRAP TIRES BY INHERITANCE OR BEQUEST AT THE DEATH OF THE TRANSFEROR; AND

(2) THE TIRES WERE STORED OR DISPOSED OF AT THE SITE PRIOR TO JULY 1, 2000."