

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “penalties” insert “on certain suppliers of water serving certain numbers of people”; and in line 5, after the first “water” insert “, after considering certain factors”.

AMENDMENT NO. 2

On page 2, in line 3, strike the bracket; in line 4, strike “10,000]” and substitute “3,300”; after line 29, insert:

“(3) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE PENALTY IMPOSED ON A SUPPLIER OF WATER SERVING A POPULATION OF 501 TO 3,300 UNDER THIS SUBSECTION SHALL BE:

(I) UP TO \$500 PER DAY FOR EACH VIOLATION, BUT NOT EXCEEDING \$10,000 TOTAL FOR EACH VIOLATION; AND

(II) ASSESSED WITH CONSIDERATION GIVEN TO THE FACTORS SET FORTH IN PARAGRAPH (2)(II) OF THIS SUBSECTION.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE PENALTY IMPOSED ON A SUPPLIER OF WATER SERVING A POPULATION OF 500 OR LESS UNDER THIS SUBSECTION SHALL BE:

(I) UP TO \$100 PER DAY FOR EACH VIOLATION, BUT NOT EXCEEDING \$5,000 TOTAL FOR EACH VIOLATION; AND

(II) ASSESSED WITH CONSIDERATION GIVEN TO THE FACTORS SET FORTH IN PARAGRAPH (2)(II) OF THIS SUBSECTION.

(Over)

(5) (I) THE DEPARTMENT MAY INCREASE THE PENALTY IMPOSED ON A SUPPLIER OF WATER SERVING A POPULATION OF 3,300 OR LESS, ON A CASE-BY-CASE BASIS, UP TO THE MAXIMUM PENALTIES SPECIFIED IN PARAGRAPH (2)(I) OF THIS SUBSECTION:

1. IF THE DEPARTMENT DETERMINES THAT THE PENALTIES SPECIFIED IN PARAGRAPH (3)(I) OR (4)(I) OF THIS SUBSECTION WILL NOT ADEQUATELY PROTECT THE INTERESTS OF THE STATE AND ENSURE COMPLIANCE WITH THIS SUBTITLE; AND

2. AFTER CONSIDERING THE FACTORS SET FORTH IN PARAGRAPH (2)(II) OF THIS SUBSECTION.

(II) IF THE DEPARTMENT DETERMINES THAT A HIGHER PENALTY IS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL PROVIDE NOTICE TO THE SUPPLIER OF THE REASONS FOR THE HIGHER ASSESSMENT.”;

and in lines 30, 32, and 34, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively.