

HOUSE BILL 1291

M3

71r0076

By: **Chair, Environmental Matters Committee (By Request – Departmental – Environment)**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, March 2, 2007

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2007

CHAPTER _____

1 AN ACT concerning

2 **Solid Waste Regulation – Criminal Penalties**

3 FOR the purpose of applying certain criminal penalties to violations of any provision
4 or failure to perform any duty imposed by a rule, regulation, order, or permit
5 adopted or issued related to solid waste; requiring the Attorney General to
6 represent the State in certain cases under certain circumstances; and generally
7 relating to enforcement of solid waste laws.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 9–268
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2006 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9-268.

2 (A) Except for violations of Part III of this subtitle, **VIOLATIONS OF §§**
 3 **9-228 AND 9-229 OF THIS SUBTITLE**, and violations enforced under § 9-267 of this
 4 subtitle, the provisions of §§ 9-334 through [9-342] **9-343** of Subtitle 3 of this title
 5 shall be used and shall apply to enforce violations of:

6 (1) This subtitle;

7 (2) Any regulation adopted under this subtitle; or

8 (3) Any order or permit issued under this subtitle.

9 (B) (1) **THE ATTORNEY GENERAL SHALL REPRESENT THE STATE IN**
 10 **EVERY CASE DESCRIBED IN THIS SECTION, INCLUDING THE RECOVERY OF ANY**
 11 **FINES OR PENALTIES.**

12 (2) **THIS SUBSECTION MAY NOT LIMIT OR AFFECT THE POWER OR**
 13 **AUTHORITY OF THE STATE'S ATTORNEY FOR A COUNTY UNDER ARTICLE 10, §**
 14 **34 OF THE CODE.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 16 October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.