SENATE BILL 398

M3, L2

Introduced and read first time: January 30, 2008 Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

Anne Arundel County - Environmental Health Monitoring - Reimbursement of Costs

4 FOR the purpose of requiring the Department of the Environment and the Department of Natural Resources to reimburse Anne Arundel County for the 5 6 cost of certain environmental health monitoring and testing; requiring a reimbursement only if a certain fine is collected; limiting the amount of a 7 reimbursement to a certain amount; providing that this Act shall apply 8 9 retroactively only to certain costs incurred by Anne Arundel County; and 10 generally relating to requiring reimbursement of Anne Arundel County for the 11 cost of certain environmental health monitoring and testing.

- 12 BY adding to
- 13 Article Environment
- 14 Section 1–303
- 15 Annotated Code of Maryland
- 16 (2007 Replacement Volume and 2007 Supplement)
- 17 BY adding to
- 18 Article Natural Resources
- 19 Section 1–802
- 20 Annotated Code of Maryland
- 21 (2005 Replacement Volume and 2007 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 23 MARYLAND, That the Laws of Maryland read as follows:
- 24 Article Environment
- 25 **1–303.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



8lr1525 CF HB 501 1 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT 2 SHALL REIMBURSE ANNE ARUNDEL COUNTY FOR COSTS INCURRED BY THE 3 COUNTY IN CONDUCTING ENVIRONMENTAL HEALTH MONITORING OR TESTING 4 RELATED TO A VIOLATION OF THIS ARTICLE THAT OCCURS ON A PROPERTY 5 THAT IS ISSUED A LICENSE OR PERMIT UNDER THIS ARTICLE.

6 (B) A REIMBURSEMENT UNDER THIS SECTION:

7 (1) IS REQUIRED ONLY IF THE DEPARTMENT COLLECTS A FINE AS 8 A RESULT OF THE VIOLATION; AND

- 9 (2) MAY NOT EXCEED THE AMOUNT OF THE FINE.
- 10

Article – Natural Resources

11 **1–802.**

12 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT 13 SHALL REIMBURSE ANNE ARUNDEL COUNTY FOR COSTS INCURRED BY THE 14 COUNTY IN CONDUCTING ENVIRONMENTAL HEALTH MONITORING OR TESTING 15 RELATED TO A VIOLATION OF THIS ARTICLE THAT OCCURS ON A PROPERTY 16 THAT IS ISSUED A LICENSE OR PERMIT UNDER THIS ARTICLE.

17 (B) A REIMBURSEMENT UNDER THIS SECTION:

18 (1) IS REQUIRED ONLY IF THE DEPARTMENT COLLECTS A FINE AS 19 A RESULT OF THE VIOLATION; AND

20 (2) MAY NOT EXCEED THE AMOUNT OF THE FINE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively only to costs incurred by Anne Arundel County between October 2006 and April 2007 for the testing and monitoring of well water for 83 homes and businesses in the vicinity of the Gambrills fly ash disposal site owned by BBSS Inc.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 27 June 1, 2008.