

SENATE BILL 398

M3, L2

8lr1525
CF HB 501

By: **Senator Astle**

Introduced and read first time: January 30, 2008

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 26, 2008

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – Environmental Health Monitoring – Reimbursement**
3 **of Costs**

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

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 **Article - Environment**

2 **1-303.**

3 (A) ~~SUBJECT~~ **NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND**
4 **SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT SHALL**
5 **REIMBURSE ANNE ARUNDEL COUNTY FOR COSTS INCURRED BY THE COUNTY IN**
6 **CONDUCTING ENVIRONMENTAL HEALTH MONITORING OR TESTING RELATED TO**
7 **A VIOLATION OF THIS ARTICLE THAT OCCURS ON A PROPERTY THAT IS ISSUED A**
8 **LICENSE OR PERMIT UNDER THIS ARTICLE.**

9 (B) **A REIMBURSEMENT UNDER THIS SECTION:**

10 (1) **IS REQUIRED ONLY IF THE DEPARTMENT COLLECTS A FINE AS**
11 **A RESULT OF THE VIOLATION; AND**

12 (2) **MAY NOT EXCEED THE AMOUNT OF THE FINE.**

13 ~~**Article - Natural Resources**~~

14 ~~**1-802.**~~

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

20 ~~(B) **A REIMBURSEMENT UNDER THIS SECTION:**~~

21 ~~(1) **IS REQUIRED ONLY IF THE DEPARTMENT COLLECTS A FINE AS**~~
22 ~~**A RESULT OF THE VIOLATION; AND**~~

23 ~~(2) **MAY NOT EXCEED THE AMOUNT OF THE FINE.**~~

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
25 construed to apply retroactively only to costs incurred by Anne Arundel County
26 between October 2006 and April 2007 for the testing and monitoring of well water for
27 83 homes and businesses in the vicinity of the Gambrills fly ash disposal site owned by
28 BBSS Inc.

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