



January 22, 2021

The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, MD 21401

Favorable w/ Amendment: SB 334 - Water Pollution Control – Intervention in Civil Actions – Rights and Authority

Dear, Chair Smith and Committee Members:

The NAIOP Maryland Chapters representing more than 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate support with amendment SB 334 which would broaden the right of a person to intervene in state court actions to enforce state water quality regulations and permits.

NAIOP recommends amendments to clarify:

- 1) the bill does not provide rights broader than allowed in federal cases, and;
- 2) the bill does not extend the broader right to intervene to administrative cases which may be appealed to state court.

Amendment No. 1:

On page 1, line 19, strike “MEETS THE THRESHOLD STANDING REQUIREMENTS” and substitute “COULD INTERVENE IN A SIMILAR ACTION”

Amendment No. 2:

On page 1, line 21, strike “BRINGS” and insert “INITIATES.”

With these amendments NAIOP would respectfully request your favorable w / amendment report on SB 334.

Sincerely;

A handwritten signature in blue ink that reads "T.M. Ballentine". The signature is written in a cursive style and is positioned above the typed name of the sender.

Tom Ballentine, Vice President for Policy
NAIOP Maryland Chapters -*The Association for Commercial Real Estate*

cc: Senate Judicial Proceedings Committee Members
Nick Manis – Manis, Canning Assoc.