

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Environment and Transportation Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1114
Illegal Dumping and Litter Control Law – Yard Waste – Disposal
on Highways
DATE: February 10, 2021
(2/25)
POSITION: Oppose

The Maryland Judiciary opposes House Bill 1114. This bill prohibits a person from disposing of yard waster on a highway and establishes certain penalties and requires a court to order certain actions for persons found guilty.

The Judiciary traditionally opposes legislation that includes mandatory provisions. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case when imposing a sentence. Provisions that place restrictions on the judge prevent the judge from considering factors unique to the case. Recognizing that lawmakers are responsible for enacting penalties for crimes, judges are mindful of various mitigating factors in crafting a sentence that most appropriately fits the individual.

cc. Hon. Steven Arentz
Judicial Council
Legislative Committee
Kelley O'Connor