

SB0108/603126/1

BY: Education, Energy, and the Environment Committee

AMENDMENT TO SENATE BILL 108

(First Reading File Bill)

On page 2, in line 18, strike “IN” and substitute “SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, IN”.

On page 3, in line 15, strike “AND”; in line 18, after “VIOLATOR” insert “; AND”

9. THE DEGREE OF COOPERATION WITH THE DEPARTMENT AFTER BEING NOTIFIED OF THE VIOLATION AND ANY GOOD FAITH EFFORTS TO ADDRESS THE VIOLATION”;

and after line 32, insert:

“(6) BEFORE IMPOSING AN ADMINISTRATIVE PENALTY ON A DAM OWNER OR ASSET OWNER WHO IS AN INDIVIDUAL, AN ASSOCIATION AS DEFINED IN § 5-509 OF THIS SUBTITLE, OR A NONPROFIT ORGANIZATION, THE DEPARTMENT SHALL:

(I) PROVIDE THE DAM OWNER OR ASSET OWNER WITH WRITTEN NOTICE OF THE PROPOSED PENALTY AND AN OPPORTUNITY FOR AN INFORMAL MEETING CONCERNING THE PROPOSED PENALTY;

(II) USE DISCRETION TO DETERMINE WHETHER A FORMAL ENFORCEMENT ACTION UNDER THIS SUBSECTION IS APPROPRIATE; AND

(III) REVIEW ANY GOOD FAITH APPLICATION FROM THE DAM OWNER OR ASSET OWNER, OR AN AUTHORIZED REPRESENTATIVE OF THE DAM

**SB0108/603126/01 Education, Energy, and the Environment Committee  
Amendments to SB 108  
Page 2 of 2**

**OWNER OR ASSET OWNER, FOR A LOAN FROM THE PRIVATE DAM REPAIR FUND,  
IF APPLICABLE.**

On page 8, in line 22, strike “AND”; and in line 25, after “VIOLATOR” insert “;  
AND

**9. THE DEGREE OF COOPERATION WITH THE  
DEPARTMENT AFTER BEING NOTIFIED OF THE VIOLATION AND ANY GOOD FAITH  
EFFORTS TO ADDRESS THE VIOLATION**”.