OBLIGATION IMPOSED BY A CONTRACT IN FORCE PRIOR TO
JULY 1, 1955, BETWEEN THE OWNER OF ANY DAM AND THE
STATE. [[FURTHERMORE, THIS SECTION DOES NOT APPLY TO
ANY DAM WHICH IS CONSTRUCTED BY ANY SANITARY DISTRICT
CREATED BY AN ACT OF THE GENERAL ASSEMBLY TO PROVIDE A
PUBLIC WATER SUPPLY.]]

(F) VIOLATION OF THIS SECTION. - THE DEPARTMENT
SHALL INVESTIGATE EVERY VIOLATION OF THIS SECTION. IF
ANY PERSON OBSTRUCTS A STREAM BY FAILING TO MAKE OR
KEEP IN REPAIR ANY FISH LADDER ON THE DAM, THE
DEPARTMENT SHALL SERVE NOTICE IN WRITING ON HIM
REQUIRING THAT HE MAKE OR KEEP IN REPAIR THE NECESSARY
FISH LADDER. THE NOTICE SHALL SPECIFY THE PENALTY FOR
THE FAILURE TO ACT WITHIN ITS TIME LIMIT. ANY PERSON
WHO VIOLATES THE NOTICE IS GUILTY OF A MISDEMEANOR AND
UPON CONVICTION IS SUBJECT TO A FINE OF NOT LESS THAN
$100 NOR EXCEEDING $300, OR IMPRISONMENT FOR NOT LESS
THAN ONE YEAR NOR EXCEEDING THREE YEARS, OR BOTH, WITH
COSTS IMPOSED IN THE DISCRETION OF THE COURT. A
SEPARATE OFFENSE EXISTS ON EACH DAY THE PERSON
VIOLATES THE NOTICE. IF THE FINE IS IMPOSED BY THE
CIRCUIT COURT FOR ANY COUNTY OR THE CRIMINAL COURT OF
BALTIMORE, AS THE CASE MAY BE, THE FINE WHEN COLLECTED
SHALL BE REMITTED TO THE DEPARTMENT.

REVISOR'S NOTE: Subsections (a) through (e) of
this section are new language based upon
the present language appearing in Article
66C, section 246 of the Code. Accordingly,
section 246 is proposed for repeal.
Nomenclatural changes are made pursuant to
Chapter 348, Acts of 1972. The section is
divided into subsections for purposes of
clarity. In subsections (d) and (c), a
provision is added to permit persons to pay
an annual sum to the State instead of
constructing a fish ladder if an agreement
was entered into prior to 1955. Chapter
703, Acts of 1955 provided that any such
agreements "heretofore" entered into would
be valid.

The second paragraph of Article 66C,
Section 246 is proposed for deletion as
obsolete due to the passage of time since
the section first was enacted.

Subsection (f) presently appears as Article
66C, section 255 of the Code. The penalty
provision is retained because it is