

SEC. 2. *And be it further enacted*, That this Act shall not apply to any violation occurring prior to July 1, 1969.

SEC. 3. *And be it further enacted*, That this Act shall take effect July 1, 1969.

Approved May 2, 1969.

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CHAPTER 418

(Senate Bill 772)

AN ACT to repeal and re-enact, with amendments, Section 11 of Article 96A of the Annotated Code of Maryland (1968 Supplement), title "Water Resources," subtitle "Appropriation of Waters; Reservoirs and Dams," making it unlawful for anyone to begin construction of any plant, building or structure which may use or appropriate waters of the State for certain purposes without first obtaining the consent or permit of the Department of Water Resources. AND PROVIDING THAT ANY APPLICANT FOR A PERMIT TO APPROPRIATE STATE WATERS UNDER THE PROVISIONS OF SECTION 11 MUST PROVIDE PROOF SATISFACTORY TO THE DEPARTMENT OF WATER RESOURCES THAT ISSUANCE OF THE PERMIT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS OR JEOPARDIZE THE NATURAL RESOURCES OF THE STATE.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 11 of Article 96A of the Annotated Code of Maryland (1968 Supplement), title "Water Resources," subtitle "Appropriation of Waters; Reservoirs and Dams," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

11.

From and after January 1, 1934, it shall be unlawful for the State or any agency thereof, any person or persons, partnership, association, private or public corporation, county, municipality, or other political subdivision of the State, to appropriate or use, *or to begin construction of any plant, building or structure which may use or appropriate*, APPROPRIATE OR USE, any waters of the State, surface or underground, without the consent or permit of the Department, in writing, previously obtained, upon written application therefor to the Department. THE APPLICANT SHALL PROVIDE PROOF SATISFACTORY TO THE DEPARTMENT THAT ISSUANCE OF SUCH PERMIT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS OR JEOPARDIZE THE NATURAL RESOURCES OF THE STATE. Nothing in this section shall be construed to apply to the use of water for domestic and farming purposes or to the use of water for an approved water supply of any municipality; nor shall it apply to any particular use in existence on January 1, 1934, provided such use is not thereafter abandoned.