

ADMINISTRATIVE PENALTY PROVIDED IN THIS TITLE, VIOLATION OF ANY RULE OR REGULATION OR RESTRICTION PROMULGATED BY ANY UNIT WITHIN THE DEPARTMENT PURSUANT TO THE PROVISIONS OF THIS TITLE IS A MISDEMEANOR AND IS PUNISHABLE AS PROVIDED IN SUBSECTIONS (A) AND (B).

REVISOR'S NOTE: These subsections are new language and are patterned after the penalty provision, Section 17-101, of Article 66 1/2 of the Code. The Commission decided generally to state only the maximum penalty for an offense covered under this uniform penalty provision. It believes that within this ceiling, the matter should be left to judicial discretion to weigh the facts and circumstances of each case.

However, the commission decided that where, for policy reasons, another penalty is specifically provided, that penalty should be retained in tact notwithstanding the fact that it might set forth both minimum and maximum terms.

The last sentence of subsection (b) is added by action of the Legislative Council. While the provisions of subsection (b) were approved, it was felt that prior violations of these statutes - most of which involve minor offenses - should not burden someone in perpetuity in terms of the operation of this subsection.

[[7-802. SEVERABILITY.

IF ANY CLAUSE, SENTENCE, PARAGRAPH, OR SECTION OF THIS TITLE IS FOR ANY REASON ADJUDGED TO BE UNCONSTITUTIONAL, THE JUDGMENT SHALL NOT AFFECT OR INVALIDATE THE REMAINDER BUT IS CONFINED IN ITS OPERATION TO THE CLAUSE, SENTENCE, PARAGRAPH, OR SECTION FOUND UNCONSTITUTIONAL. ]]

NATURAL RESOURCES - TITLE 7

GENERAL REVISOR'S NOTE:

The Commission to Revise the Annotated Code, in compiling Title 7 of the Natural Resources Article, concluded that certain provisions of present law originally allocated to Title 7 are repetitious,