

NOT BE COMPROMISED, DISCONTINUED, OR DISMISSED BY CONSENT, BY DEFAULT, OR FOR NEGLECT TO PROSECUTE, EXCEPT WITH THE APPROVAL OF THE COURT. THE APPROVAL MAY NOT BE GRANTED WHEN THE COURT DETERMINES THAT A MONETARY SETTLEMENT, IN EXCESS OF COURT COSTS AND ATTORNEYS FEES, HAS BEEN OFFERED BY A DEFENDANT TO A PLAINTIFF, WHO HAS STANDING TO SUE ONLY BY VIRTUE OF THIS SUBTITLE, AS CONSIDERATION FOR THE SETTLEMENT. IF THE COURT UPON APPLICATION OF A DEFENDANT DETERMINES THAT AN ACTION IN WHICH A PLAINTIFF HAS ACQUIRED STANDING SOLELY BY VIRTUE OF THIS SUBTITLE WAS BROUGHT IN BAD FAITH OR SOLELY FOR PURPOSES OF HARASSMENT OR DELAY, IT MAY, AFTER FURTHER HEARING ON THIS SPECIFIC QUESTION, AWARD TO THE DEFENDANT AGAINST THE PLAINTIFF A JUDGMENT FOR ALL OR PART OF THE COURT COSTS, INCLUDING ATTORNEYS FEES, AS THE DEFENDANT MAY ESTABLISH WERE INCURRED BY HIM IN DEFENDING THE ACTION TOGETHER WITH ANY DAMAGES SUSTAINED BY THE DEFENDANT AS A RESULT OF THE ACTION HAVING BEEN BROUGHT, INCLUDING WITNESS FEES.

(B) THE MARYLAND RULES OF PROCEDURE APPLY TO ALL ACTIONS BROUGHT UNDER THIS SUBTITLE EXCEPT WHERE THE PROVISIONS OF THIS SUBTITLE SPECIFICALLY DESCRIBE OTHER PROCEDURES.

1-508. EXISTING RIGHTS AND REMEDIES RESERVED.

IT IS THE PURPOSE OF THIS SUBTITLE TO PROVIDE CERTAIN REMEDIES TO ABATE THE POLLUTION, DESTRUCTION, OR SUBSTANTIAL OR UNREASONABLE IMPAIRMENT OF THE AIR, WATER, OR OTHER NATURAL RESOURCES OF THE STATE AND THEREFORE NOTHING CONTAINED IN IT ABRIDGES OR ALTERS RIGHTS OF ACTION OR REMEDIES WHICH EXIST. A PROVISION IN THIS SUBTITLE, OR ANY ACT DONE BY VIRTUE OF THIS SUBTITLE, MAY NOT BE CONSTRUED AS ESTOPPING OR LIMITING THE STATE OR ANY PERSON IN THE EXERCISE OF HIS RIGHTS TO SUPPRESS NUISANCES OR TO ABATE ANY POLLUTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 29, 1978.

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CHAPTER 839

(Senate Bill 968)

AN ACT concerning

Domestic Animals - Identification of Ownership

FOR the purpose of prohibiting the disposal of domestic animals until their ownership can be ascertained by an inspection; providing for notice to the owner of domestic animals; providing for disposal of domestic