

OR MUNICIPALITY WHICH IS FOUND TO---HAVE---ENFORCEMENT---CAPABILITY CAPABLE OF ENFORCING COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE, OR IS FOUND TO HAVE ENFORCEMENT CAPABILITY WITHIN THAT JURISDICTION WHICH IS COMPARABLE TO THAT OF THE DEPARTMENT IN TERMS OF LAWS AND PROCEDURES, MANPOWER, EQUIPMENT, AND OVERALL EFFECTIVENESS. THE SECRETARY MAY NOT DENY A REQUESTED DELEGATION UNLESS OPPORTUNITY HAS BEEN AFFORDED TO THE APPROPRIATE OFFICIALS OF THE AFFECTED LOCAL JURISDICTION TO PRESENT ARGUMENTS BEFORE THE SECRETARY.

(II) A DELEGATION PURSUANT TO THIS PARAGRAPH SHALL BE EFFECTIVE FOR NOT MORE THAN 2 YEARS, UNLESS RENEWED BY THE SECRETARY.

(III) EVERY SUCH DELEGATION SHALL BE SUBJECT TO SUSPENSION BY THE SECRETARY, AFTER OPPORTUNITY IS AFFORDED FOR A HEARING, UPON A FINDING THAT THE COUNTY OR MUNICIPAL PROGRAM HAS FALLEN BELOW THE STANDARD OF COMPARABLE EFFECTIVENESS. DURING A PERIOD OF SUSPENSION, THE DEPARTMENT SHALL ENFORCE COMPLIANCE IN THE AFFECTED JURISDICTION.

(IV) ANY COUNTY OR MUNICIPALITY REQUESTING EITHER DELEGATION OF ENFORCEMENT AUTHORITY OR RENEWAL OF DELEGATION UNDER THIS SUBTITLE SHALL SUBMIT THE REQUEST TO THE SECRETARY ON OR BEFORE JANUARY 1 IMMEDIATELY PRECEDING THE FISCAL YEAR FOR WHICH DELEGATION OR RENEWAL OF DELEGATION IS SOUGHT. THE SECRETARY SHALL GRANT OR DENY SUCH A REQUEST ON OR BEFORE APRIL 1 OF THE YEAR DURING WHICH DELEGATION IS SOUGHT BY A COUNTY OR MUNICIPALITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

CHAPTER 791

(Senate Bill 661)

AN ACT concerning

Chesapeake Bay - Resource Management - Migratory Wild
Waterfowl Stamp

FOR the purpose of increasing the cost of the migratory wild waterfowl stamp; and authorizing use of a certain amount of the Wildlife Management and Protection Fund to support operation of duck hatchery facilities, among other purposes; and requiring the Department of Natural Resources to report to the General Assembly every year on its activities for hatchery facilities.