

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 5, 1989.

CHAPTER 103

(Senate Bill 138)

AN ACT concerning

Sediment Control - Delegation of Enforcement Authority.

FOR the purpose of authorizing the Secretary of Environment to delegate a portion of the enforcement authority for sediment control to a county or municipality; and providing that the Secretary take certain action on the delegation request by a certain date.

BY repealing and reenacting, with amendments,

Article - Environment
Section 4-103(e)(2)
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Environment

4-103.

(e) (2) (i) 1. The Secretary of the Environment shall delegate enforcement authority under this subtitle to any county or municipality which is found 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.

2. THE SECRETARY MAY DELEGATE A SPECIFIC PORTION OF THE ENFORCEMENT AUTHORITY UNDER THIS SUBTITLE TO A COUNTY OR MUNICIPALITY.

3. 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.