

~~(3) (4)~~ IN DETERMINING WHETHER A ~~PERSON'S CONSENT TO TAKE A TEST SUBSEQUENT TO PERSON HAS WITHDRAWN AN INITIAL REFUSAL CURES THE INITIAL REFUSAL UNDER~~ FOR THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION, THE BURDEN OF PROOF RESTS WITH THE PERSON TO ESTABLISH BY A PREPONDERANCE OF THE EVIDENCE THE REQUIREMENTS OF PARAGRAPH ~~(4)~~ (2) OF THIS SUBSECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any refusal to take a test that occurred before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved May 27, 1993.

CHAPTER 610

(House Bill 1436)

AN ACT concerning

Sewage Sludge Application - Counties

FOR the purpose of ~~authorizing certain counties to establish sewage sludge management programs and set fees, not to exceed a certain amount per ton, for the application of sewage sludge to land in those counties; requiring those fees to be deposited in a county sewage sludge management fund; restricting the use of those funds to the administration of a county or counties sewage sludge management program; authorizing the counties to impose certain penalties; providing that penalties collected shall be deposited to the State General Fund; allowing a designee of a local health official to perform certain duties and exercise certain responsibilities concerning sewage sludge application under certain circumstances; altering the percentage of generator fees for which the Department of the Environment may contract for supplemental inspection and monitoring services within a county; requiring a certain report by a certain date; providing for the effective date of this Act; and generally relating to county administration of sewage sludge management programs.~~

BY ~~adding to~~ repealing and reenacting, with amendments,

Article - Environment

Section ~~9-235.1~~ 9-243(a), (b), (c), and (e), and 9-244(c)

Annotated Code of Maryland

(1987 Replacement Volume and 1992 Supplement)

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