(2)   TO DETERMINE THE AMOUNT OF THE PENALTY IMPOSED UNDER THIS SUBSECTION, THE BOARD SHALL CONSIDER:

    (I)   THE SERIOUSNESS OF THE VIOLATION;

    (II)   THE HARM CAUSED BY THE VIOLATION;

    (III)   THE GOOD FAITH OF THE LICENSEE; AND

    (IV)   ANY HISTORY OF PREVIOUS VIOLATIONS BY THE LICENSEE.

5.5–409.

(a)   In this section, "contested case" has the meaning stated in § 10–202 of the State Government Article.

(b)   Any person aggrieved by a final decision of the Board in a contested case under this title may take an appeal as allowed in §§ 10–222 and 10–223 of the State Government Article.

5.5–602.

The master of a vessel may not fail to employ a docking master as required under [§ 5.5–401] § 5.5–501 of this title.

SECTION 3.   AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved May 16, 2002.

CHAPTER 476

(Senate Bill 628)

AN ACT concerning

Charles County – New School Capacity Financing Mechanism

FOR the purpose of establishing a new school capacity financing mechanism in Charles County; repealing certain provisions of law requiring a developer of certain land to reimburse the county for costs of constructing additional public school facilities; authorizing the County Commissioners to issue borrow not more than $100,000,000 by issuing certain bonds on the full faith and credit of the county; authorizing the County Commissioners to levy an excise tax, not to exceed certain rates for certain types of dwellings, on the owners of certain real property in the county; requiring certain notice by the seller or transferor of certain property to the buyer or transferee of the property; providing for certain annual studies to determine the amounts of the bonds and excise tax; requiring certain notice and public hearings prior to the County Commissioners issuing certain bonds and enacting a certain ordinance levying a certain excise tax; requiring the Charles County Commissioners to report to the General Assembly on or before a certain date; authorizing the Commissioners to impose certain