



NFIB-Maryland – 60 West St., Suite 101 – Annapolis, MD 21401 – www.NFIB.com/Maryland

TO: Senate Education, Health, and Environmental Affairs Committee

FROM: NFIB – Maryland

DATE: February 2, 2022

RE: **OPPOSE SENATE BILL 221** – Department of the Environment – Enforcement Authority

Founded in 1943, NFIB is the voice of small business, advocating on behalf of America's small and independent business owners, both in Washington, D.C., and in all 50 state capitals. With more than 250,000 members nationwide, and nearly 4,000 here in Maryland, we work to protect and promote the ability of our members to grow and operate their business.

On behalf of Maryland's small businesses, NFIB-Maryland opposes Senate Bill 291 – legislation expanding the authority of the Department of the Environment (MDE) to enforce various sections of environmental law and greatly increasing fines and penalties.

Combined, there are 11 instances in SB299 granting MDE new authority to file administrative penalties, criminal sanctions, or file a civil suit against suspected violators. Additionally, SB299 allows for a lien to be placed against real or personal property of a violator in an effort to collect debts.

Further, SB299 will count each day that passes after citation as a new violation subject to enhanced penalties.

The penalties and enforcement mechanisms found in SB299 are unreasonable and create exceptional hardship for small businesses who may inadvertently violate environmental law.

For these reasons **NFIB opposes SB221** and requests an unfavorable committee report.