



The Legislative Wrap-Up

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LEGISLATION AND COMMITTEE HEARINGS

The principal standing committees of the Senate and the House are the committees to which bills are assigned for in-depth review and consideration. A major part of each committee's deliberations is formed by testimony gathered from public hearings now in the forefront of legislative activity in Annapolis.

In fact, one of the tenets of the legislative process in Maryland is that every bill is to receive a hearing at which anyone who wishes to comment may do so, provided that the person signs the witness list before the hearing begins. Committees also retain a file of the phone calls, e-mails, faxes, and letters related to each bill. March 18, the 70th day of this session, is the Committee Reporting Courtesy Date. Each chamber's committees are to report their own bills by this date.

The bill and resolution total for the 2003 session has reached 764 Senate bills and 11 resolutions along with 1174 House bills and 18 resolutions.

AGRICULTURE AND SEAFOOD INDUSTRY

A House committee heard testimony midweek on legislation to amend a bill enacted last year that authorized the Department of Natural Resources (DNR) to study Suminoe oysters and other nonnative species for possible use in Maryland's aquaculture industry. The Suminoe oyster looks and tastes like a native oyster but grows more quickly. Early experiments also suggest that it is much more resistant to MSX and Dermo, 2 deadly parasites that plague native oysters.

[HB 820](#) would allow the DNR study to run concurrently with the National Academy of Sciences (NAS) review of Suminoe oysters, rather than wait until the NAS study is completed but states that DNR's report should include, to the extent possible, the findings of the NAS review. The hearing included discussion of Virginia's plan to introduce 1 million Suminoe oysters into the Chesapeake Bay and along the Atlantic coast in a 2-year controlled experiment. Supporters contend that Maryland should

conduct its own study, in part because Maryland waters differ from Virginia waters in factors such as the salinity. Testimony also reflected concern regarding the unknown impact of the nonnative species on the Bay's ecosystem. The companion bill, [SB 475](#), was heard last month.

The full House gave its endorsement to [HB 344](#), designed to help remedy low oyster harvests in the Potomac River. The bill authorizes the Potomac River Fisheries Commission (PRFC) to levy oyster repletion fees and to regulate all oyster dredging, not just dredging with handscrapes. In 1982, Virginia enacted similar legislation to expand the authority of the PRFC, but that expansion requires action by both states to become effective. The companion bill, [SB 248](#), remains in committee.

The public also testified on [SB 698](#) that requires DNR to establish zones for power dredging of oysters and to regulate the opening and closing, locations, and sizes of the zones. The companion is [HB 1159](#).

Legislation before a committee on Friday requires the Maryland Department of Agriculture (MDA) to conduct criminal records checks on each applicant for certification as pesticide applicators, as well as for those applying for permits to sell or distribute restricted-use pesticides. The bill mandates the adoption of regulations requiring employers to conduct the checks and obtain job history reports on employees with access to restricted-use pesticides. [SB 540](#) also requires MDA to establish a tracking system for reports of suspicious pesticide purchases. The bill also sets restrictions on pesticide use by persons who are not certified applicators, as well as a minimum civil penalty for violations of the Pesticide Applicator's Law. Similar legislation failed last year.

The Senate preliminarily approved a proposal establishing a Task Force on the Marketing of Grain and Other Agricultural Products ([SB 367](#)). The task force will evaluate options and develop strategies for marketing grain (particularly soybeans) and other products, as well as examine the feasibility of reestablishing a grain export facility and establishing new transportation options from alternative locations in

Central Maryland. Following the closure in 2001 of the last remaining export grain terminal at the Port of Baltimore, soybeans have to be handled elsewhere, increasing costs and decreasing profits for producers. [HB 547](#), the companion, remains in a House committee.

Legislation that would have decreased the minimum acreage requirement from 50 to 25 acres for inclusion in an agricultural district under the Maryland Agricultural Land Preservation Foundation received an unfavorable committee vote this week ([HB 406](#)).

COURTS AND CIVIL PROCEEDINGS

A Senate committee voted down the surviving proposals to amend the Maryland Constitution to institute the selection of circuit court judges by approval or rejection of appointment via retention elections, with a 10-year term of office following election ([SB 6](#), [SB 35](#), and [SB 88](#)).

CRIMINAL MATTERS AND CORRECTIONS

Proposals concerning the death penalty that were amended and approved by a Senate committee are now under consideration on the Senate floor:

- [SB 12](#) institutes a moratorium on executions in Maryland until July 1, 2005, and creates a commission, chaired by the Lieutenant Governor, to review various studies on capital punishment and issue a report with recommendations designed to guarantee that the application and administration of the death penalty in Maryland is free from bias and error; and
- [SB 53](#) requires a stricter standard of proof for determining whether to impose the death penalty, from “preponderance of the evidence” to “beyond a reasonable doubt.”

The same committee defeated other legislation addressing death penalty issues, including:

- [SB 572](#) that would have excluded a conviction of first degree murder committed during the perpetration of specified felonies from consideration of the death penalty, and would have removed felony murder from the list of aggravating circumstances to be considered in imposing the death penalty; and

- [SB 172](#) that would have required prosecutors to seek the death penalty in all eligible cases, except when the victim’s family objects (“Dawn’s Law”).

Also failing in committee this week, [SB 237](#) would have expanded the State’s Attorney’s screening requirements for applications filed in the District Court alleging an offense. The applications would have included those filed by citizens alleging any offense except actual or threatened physical injury. The companion, [HB 295](#), failed last week.

Two bills increase the penalties for the crime of identity theft. [HB 598](#) sets the maximum penalty for felony identity fraud at 20 years in jail and a \$25,000 fine, up from 5 years and \$5,000. For misdemeanor identity fraud, the maximum fine would increase to \$25,000 from \$5,000. [SB 135](#) would not increase jail time, but would increase the maximum fine for both the misdemeanor and felony crime to \$100,000.

Fraud committed through Internet auction services would be a felony crime under [HB 730](#), if the value of things taken exceeds \$500. The maximum penalty would be 15 years in jail and a \$10,000 fine. If what was taken was worth \$500 or less, the crime would be a misdemeanor, earning a maximum 18 months in jail and a \$500 fine.

ECONOMIC, BUSINESS, AND CONSUMER ISSUES

This week and next week, legislators are considering several bills related to State housing policies:

- [SB 586/HB 845](#) create the Study Commission on Housing Policy and call for the development of a statewide typology for the application and allocation of State housing and community development programs and resources, taking into consideration such factors as income levels and concentrations of poverty, planned rates of growth, and the availability of affordable housing;
- [SB 618/HB 620](#) alter the purposes of community legacy projects to include the financing of neighborhood intervention projects to rehabilitate, demolish, reconstruct, or reuse properties located in stable neighborhoods, and create a Neighborhood Intervention Fund within the Community Legacy Financial Assistance Fund; and

- [HB 853](#) alters the State's housing policy to provide for fair housing to all without regard to source of income, with certain exceptions. The prohibition against discrimination based on income would not apply to landlords who own 4 or fewer rental units or assisted rental housing developments.

An amended version of [HB 888](#), establishing the Maryland Military Installation Strategic Planning Council, passed the House this week. The Council would promote a focused effort to retain and protect the State's existing federal military installations.

Next week, a House committee will hear [HB 927](#) that alters the items of information that a consumer reporting agency may issue in a report to include cases under Title 11 of the United States Code or under the Federal Bankruptcy Act, civil suits, civil judgments, and records of arrest that antedate the report by specified periods of time.

EDUCATION

The Senate passed [SJ 5](#) urging Boards of Education to develop and institute a Celebrate Freedom Week curriculum during the month of September for the purpose of instilling a sense of the sacrifices made during the founding of this country and the values upon which this country was founded. The companion resolution is [HJ 13](#).

Last month a Senate Committee held a hearing on a charter school bill, [SB 75](#), and recently 2 bills on the same subject were heard by House committee members:

- [HB 11](#) establishes a Maryland Public Charter School Program with chartering authority granted to the local boards of education under which a public charter school is directly supervised in accordance with the charter granted to the school and the provisions of law governing other public schools in the county. (Appeals would be directed to the State Board of Education. The companion is [SB 5](#)); and
- [HB 859](#), an Administration bill, establishes a Maryland Public Charter School Program under which a public charter school is an independent legal entity responsible for the management and operation of its fiscal affairs. Chartering authority is granted to the State Board of Education, local boards of education, public institutions of higher education, or any other entity designated by the State Board of

Education. The Board also hears appeals if an application is denied. (The companion is [SB 388](#)).

House committee members also listened to testimony about participation by home-schooled students in public school activities.

[HB 578](#) authorizes a public school to allow home-schooled students to participate in extracurricular activities, as well as in the academic curriculum. Extracurricular activities include interscholastic athletics, music and drama programs, student organizations, and other programs sponsored by the public school. Participation in the academic curriculum is limited to 4 course offerings per year. If space in the programs is limited, priority is given to public school students.

[HB 718](#) authorizes a public school to allow home-schooled students and private school students to participate in extracurricular activities, not including interscholastic athletics. To qualify, home-schooled or private school students must be eligible to attend the public school and the activity may not be offered at the private school. If space in the activities is limited, the public school must give priority to a student who attends the school.

On the Senate side, the public was given the opportunity to present their views on [SB 498](#), to repeal the termination date on the Aging Schools Program and to continue the current distribution of \$10.37 million in funding to local school systems beyond fiscal year 2004. The scope of a local school system's comprehensive master plan is expanded to include the impact of the proposed goals, objectives, and implementation strategies on the public school facilities and capital improvements that may be needed to implement the plan. The companion bill, [HB 667](#), was heard recently.

Senate committee deliberations also included 2 higher education bills:

- [SB 499](#) authorizes the Maryland Higher Education Investment Board to establish new college savings plans, provides for the administration of any new plans established by the Board, changes the name of the Maryland Higher Education Investment Board to the College Savings Plans of Maryland Board, and establishes the title of College Savings Plans of Maryland for the catalog of programs administered by the Board (The companion bill, [HB 30](#), was heard in February); and

- [SB 555](#) reduces aid to nonpublic schools, private colleges, and universities of higher education by altering the method for calculating the full-time equivalent (FTE) student count that is used to determine aid under the current Joseph A. Sellinger formula. FTE counts for in-state and out-of-state students at each institution will be computed separately and the out-of-state FTE student enrollment will be reduced by 25% to arrive at a lower count. Sellinger-formula-aid for each institution will be calculated using the reduced FTE.

The House passed on second reading [HB 680](#), which allows an individual honorably discharged from military service to apply to a local board of education to obtain a high school diploma, if the individual withdrew from school during the individual's senior year in high school to enlist in the armed forces during the Vietnam conflict.

ELECTIONS

The President of the Senate introduced legislation this week changing the date of Maryland's presidential primary election from the first Tuesday in March to the second Tuesday in February ([SB 747](#)). First applicable in 2004, the bill would move that year's presidential primary to February 10, potentially creating a regional primary with Virginia.

The Senate passed [SB 313](#), requiring a political party to notify the State Board of Elections at least 6 months before the primary election if the party will allow voters not affiliated with the party to vote in its primary election.

[SB 432](#) has been approved by the full Senate. The bill adopts provisions relating to the casting and canvassing of provisional ballots to comply with the requirements of the federal "Help America Vote Act of 2002."

Legislators also heard testimony regarding [HB 1061](#), establishing a Maryland Election Modernization Fund for the purposes of upgrading election equipment.

A proposed constitutional amendment that would have required that each delegate elected to the House represent a single-member district died in committee ([SB 169](#)).

ENVIRONMENTAL MATTERS

Both chambers heard public comment this week on companion measures related to the placement of dredged material from the Chesapeake Bay. [SB 420/HB 689](#) provide that the deposit of dredged material to create "artificial islands" in the bay may not be part of any plan or program for the management of dredged material or for the protection or development of the Chesapeake Bay. The proposals do not restrict the deposit of dredged material to restore or repair a "historical natural island," that has been severely damaged or diminished due to erosion. Under current law, the placement of dredged material is limited to 1 open water site and containment facilities permitted by the Maryland Department of the Environment (MDE).

Senators also heard testimony on [SB 391](#) that requires the Executive Committee, created in 2001, that oversees the development of the State's plans for dredged material management to add another duty. The committee, in conjunction with stakeholders, is to review the State's dredging needs and placement requirements and recommend novel and innovative methods of minimizing the quantities of dredged material, while sustaining maritime commerce in the Port of Baltimore. The companion is [HB 996](#).

Both chambers have passed proposals making changes in noise and pollution control efforts. [SB 320/HB 174](#) encourage local governments to consider compliance with State or local noise standards before acting on variance requests or changes in zoning. The bills also change the membership criteria and increase the number of members of the Environmental Noise Advisory Council; require MDE to submit proposed revisions in noise regulations to the Council, conduct public hearings, and prepare or solicit technical input on the revisions; and expand the membership of the Interagency Noise Control Committee.

A Senate committee was also busy with other environmental bills including:

- [SB 393](#) to expand existing criminal and civil penalties for violations of certain sediment erosion and control, stormwater management, nontidal wetlands, water pollution control, and wetlands and riparian rights provisions administered by the MDE and to authorize courts to order restoration of areas unlawfully disturbed. (The companion bill is [HB 715](#));

- [SB 394](#) would establish minimum energy efficiency standards for 10 new products including ceiling fans and ceiling fan light kits, illuminated exit signs, large packaged air-conditioning equipment, and commercial clothes washers to be sold in Maryland after January 1, 2005, or installed in Maryland after January 1, 2006. (The companion is [HB 747](#)); and
- [SB 592](#) to create within MDE an Office of Indoor Air Quality to regulate indoor air quality in office buildings and also establish an Indoor Air Quality Advisory Council. The bill applies to public and private office buildings that have greater than 2,500 square feet of floor space and where office activities comprise at least 50% of the activities that take place in the building.

FINANCIAL INSTITUTIONS

Generating considerable debate in the Senate, [SB 160](#) with floor amendments has passed third reading. The legislation clarifies the return of certain cancelled checks to holders of truncated banking accounts as well as options and format of returned cancelled check facsimiles in lieu of the original cancelled checks. Companion bill is [HB 117](#).

FISCAL MATTERS

This week, a number of legislative proposals to increase various taxes in order to achieve a balanced budget went before a House committee and received testimony from sponsors and interested parties. The bills included:

- [HB 500](#) that imposes a 6% income tax rate on income over \$100,000 for an individual and on income over \$150,000 for those filing a joint return, with the 6% rate in effect for taxable years 2003, 2004, and 2005, after which the rate would return to 4.75%;
 - [HB 910](#) that increases several tax rates including the income tax for 2003 and 2004 to 4.8% from 4.75%, the sales tax rate to 6 cents from 5 cents, and the gasoline tax rate by 5 cents to 28.5 cents per gallon for the period July 1, 2003, through June 30, 2005;
 - [HB 1020](#) that imposes the sales tax on motor vehicle fuels and alters the distribution of some revenues
- from the Transportation Trust Fund to the General Fund;
 - [HB 1053](#) that raises the sales tax rate from 5% to 6%; and
 - [HB 1094](#) that raises the sales tax rate to 6% from 5% for 3 years and allocates a portion of sales tax revenues to the Transportation Trust Fund and a new Education Trust Fund.

Other legislation that would increase the Comptroller's tax compliance authority had hearings in their houses of origin ([HB 753](#) and [SB 656/HB 936](#)).

The House has scheduled hearings for next week to allow Marylanders to state their opinions on [HB 1084](#), which will change certain income tax credits to subtraction modifications, and on [HB 341](#), terminating the Maryland Heritage Structure Rehabilitation Tax Credit this June rather than June 2004. The Senate version of the Heritage Tax Credit, [SB 203](#), remains in committee.

The Senate also held committee hearings on proposals to increase taxes and on [SB 657](#), the Budget Reconciliation and Financing Act of 2003, which will change the laws and transfer funds to the General Fund. The House hearing on companion [HB 935](#) took place last week. Among the other tax proposals before the Senate committee were bills that:

- Increase the tax on alcoholic beverages ([SB 384](#), [SB 529](#)). The House versions have hearings scheduled for the coming week ([HB 87](#), [HB 580](#));
- Increase the cigarette tax from \$1.00 per pack to \$1.36 ([SB 324](#)). The House companion, [HB 1124](#), was introduced this week; and
- Alter corporate tax laws to reduce tax avoidance ([SB 398](#)). Similar legislation, [HB 776](#), also was heard in a House committee.

Two bills to increase the motor vehicle fuel tax by 10 cents per gallon, [SB 758/HB 1163](#), were introduced this week.

The House and the Senate have completed committee hearings on the Budget Bill ([HB 40/SB 55](#)). The House committee expects to complete its work, including recommended cuts, and take the budget to the House floor on March 17. The Constitutional deadline for

approval of the budget by the General Assembly is March 31, the 83rd day of the 2003 session.

HEALTH CARE AND INSURANCE

The Senate has passed [SB 223](#), which grants a mother the right to breast-feed her child in any public or private location and prohibits restrictions on breast-feeding. Similar legislation passed the Senate in 2001, but received an unfavorable House committee vote that year.

Also passing the Senate, [SB 273](#) modifies the requirements for petitions for emergency evaluations of individuals with mental disorders to facilitate the commitment of those who pose a danger to themselves or others. The companion bill, [HB 668](#), was heard in committee last week.

[HB 25](#) creates a Task Force to Study Access to Mental Health Services. The task force would study health insurer's compliance with mental health parity requirements, examine barriers to accessing community mental health treatment, and ensure access to medically necessary mental health treatment. The bill passed a preliminary floor vote this week, while its companion bill, [SB 252](#), was heard by a committee last week. Similar legislation passed in the House but failed in the Senate last session.

Among other bills having public hearings this week were:

- [HB 441](#), to expand the authority of optometrists to issue prescriptions of certain medications and to treat certain eye diseases without having to consult with an ophthalmologist;
- [HB 772](#), to prohibit a physician from performing an abortion on a minor unless a notice is given to a parent/guardian, it is a medical emergency, or a court orders a waiver to the notice requirement (The companion bill is [SB 457](#));
- [HB 702](#), to establish, in the Board of Physician Quality Assurance, a Medical Marijuana Research Program, to adopt regulations to determine what medical conditions apply and to review applications from patients and their physicians for admittance to the program. (Participants and their caregivers would receive an identification card as protection from arrest and prosecution or any other penalty. The companion bill is [SB 502](#)); and

- [SB 537](#), prohibiting a physician, nurse practitioner, or pharmacist from accepting any gift greater than \$50 from a pharmaceutical manufacturing company or a pharmaceutical marketer except for samples and literature pertaining to pharmaceutical products. The respective regulatory board for each licensed health care provider may reprimand a licensee, place a licensee on probation, or suspend or revoke a license if the licensee violates the bill's provisions. (The companion is [HB 548](#).)

Another measure ([HB 188](#)) regarding pharmaceutical company gifts requires a pharmaceutical manufacturing company (manufacturer) doing business in the State to report annually to the Maryland Health Care Commission (MHCC) the value, nature, and purpose of any gift, fee, payment, subsidy, or other economic benefit provided by the manufacturer in connection with detailing, promotional activities, or marketing to health care providers. Exceptions to reporting include any gift, fee, payment, subsidy or other economic benefit of value that is less than \$25.

Legislation ([HB 121](#)) relating to a hepatitis B vaccination requirement of first-time enrollees in higher education institutions was withdrawn this week. Under the bill, the student would have been exempt from the requirement if the student signed a waiver (or a student's parent or guardian if the student is a minor). Similar legislation failed last session.

A bill ([HB 726](#)) to expand health insurance coverage to the State's reported 600,000 uninsured also had a hearing this week. Reflecting many of the recommendations of the Maryland Citizens' Health Initiative, this bill provides universal health care coverage for State residents by changing eligibility requirements in the Medicaid program, the Maryland Children's Health Program (MCHP), the Maryland Pharmacy Discount Program (MPDP), the Maryland Health Insurance Plan (MHIP), and the small group health insurance market.

Revenue provisions of [HB 726](#) include the repeal of the 2% premium tax exemption given to HMOs, and an increased tobacco tax rate for cigarettes that varies depending on the size of the package. Companies not providing employee health insurance will be required to pay a payroll tax based on the number of employees. The companion bill is [SB 557](#).

In related news this week, the Maryland Insurance Commissioner rejected the proposed conversion and sale

of CareFirst. [HB 765](#), introduced last month, establishes a 13-member Task Force on the CareFirst Mission to develop a plan to rearticulate the mission of CareFirst of Maryland, Inc. as a nonprofit health service plan that: (1) provides individuals and businesses with the most affordable and accessible health insurance possible; and (2) recognizes a responsibility to contribute to the improvement of the overall health status of Maryland residents.

SPORTS AND GAMING

Slot machines continued to dominate the Annapolis agenda this week. The Governor released his long-awaited revisions to his earlier video lottery proposal ([SB 322/HB 359](#)). The new amendments would allow 4 tracks to operate 10,500 slots, but divide the allocations differently. The expected gross revenue would be about \$1.5 billion. The share allotted to education is reduced and the share to the owners is increased. The license fees paid to the State are also reduced, but the share to local governments where tracks are located is higher.

[HB 1014](#), another slots related bill, elicited committee testimony this week. The measure provides for the transfer of the name of the Preakness Stakes; copyrights, trademarks, service marks, and trade names associated with the Preakness Stakes; and the trophy known as the Woodlawn Vase to the State if any form of gaming, other than pari-mutuel betting, is authorized for Pimlico Race Course. The State would then license the use of the name back as long as the Preakness Stakes are promoted and run. The companion, [SB 697](#), has had a hearing.

Delegates also listened to citizens testify on 2 animal-related bills this week. [HB 679](#) allows Sunday deer hunting on privately owned land with the written permission of the landowner in November and December during any deer season that includes a Sunday. These provisions would not apply to hunting sika deer or in Anne Arundel, Baltimore, Howard, Montgomery, Prince George's and part of Frederick Counties, Baltimore City, and the city of Frederick.

[HB 629](#) prohibits the Department of Natural Resources from establishing an open hunting season to hunt black bears and from reducing the black bear population in any area of the state until July 1, 2009. Until then, DNR may kill a black bear in defense of a person, a person's property, or domestic animals on a person's property only after exhausting nonlethal means.

TRANSPORTATION

A House committee held a hearing on a bill that would ease immigrant licensing restrictions in an effort to increase highway safety by expanding the numbers who receive driver training, licenses, and vehicle insurance. [HB 838](#) prohibits the Motor Vehicle Administration (MVA) from requiring an applicant for a driver's license to provide information regarding national origin or immigration status. The bill clarifies that an applicant may provide an original or certified copy of a birth certificate, a current or expired passport, or a valid military identification card, if they are all issued by the United States, a United States territory, or a foreign government as proof of age or identity.

An applicant may also use a Social Security card or Internal Revenue Service letter stating that the individual taxpayer identification number has been issued, or a certificate of naming issued by a religious institution, and a national identification card or a consular identification card issued by a foreign government. A person may not use a false or fictitious name, knowingly make a false statement, conceal a material fact, or otherwise commit a fraud on the application for a driver's license. Violators are guilty of a misdemeanor and are subject to a maximum fine of \$500 and imprisonment not to exceed 2 months, or both.

A proposed amendment to the Maryland Constitution establishes a Transportation Trust Fund to be used only for the purpose of paying the principal of, and interest on, Transportation Bonds as they become due and payable, and for any lawful purpose related to the construction and maintenance of an adequate highway system in the State or any other transportation-related purpose. Under [SB 757/HB 1157](#), no part of the Transportation Trust Fund may revert or be credited to the General Fund of the State unless otherwise provided by law that has been in effect on or before October 1, 2003. If the proposal passes, it will be presented to Maryland voters at the next general election in November 2004. This session proposals have been made to transfer money from the current Transportation Trust Fund to help balance the budget.

A measure that prohibits a provisional driver licensee under the age of 18 from driving with a passenger under the age of 18 for 180 days (six months) after the provisional license is issued has passed in the Senate. The restrictions under [SB 63](#) do not apply to a passenger who is a spouse, daughter, son or sibling of the licensee, and the prohibition may be enforced only as a secondary

violation, i.e., it cannot be the primary cause for stopping the motorist.

Drunk and/or drugged drivers are targeted under [SB 383](#) that requires anyone who takes custody of a suspected drunk and/or drugged driver to acknowledge in writing that they will be held liable for allowing the original driver to operate a motor vehicle, while that driver remains under the influence of alcohol and/or drugs. If the custodian refuses to make the written statement, then the vehicle must be impounded until the later of 12 hours after the arrest or until the offender can safely operate the vehicle.

A similar measure, [HB 6](#) prohibits a person who has been arrested for alcohol- and/or drug-related driving offenses from driving within 12 hours after being arrested. This bill differs from [SB 383](#) in that a third party is not asked to take custody of the arrestee, nor is the vehicle impounded.

Both [SB 383](#) and [HB 6](#) are referenced as “John’s Law.” Generally, “John’s Law” refers, in part, to drunk driving legislation that requires a third party to take protective custody of a person arrested for drunk driving. The reference also refers to drunk driving legislation that requires the person’s immediate detainment or the vehicle’s impoundment upon arrest for a drunk driving violation until it is presumed safe for the arrestee to continue driving.

UTILITIES

[SB 763/HB 899](#) has been introduced to expand local calling areas by requiring the Public Service Commission (PSC) to classify as toll-free any telephone call made between any 2 points within a single county or between a point in one county and another point within 40 miles of that county. A similar measure, [SB 764/HB 898](#) also requires the PSC to seek approval from the Federal Communications Commission to establish local calling between Local Access Transport Areas (LATAS) in adjacent states including Virginia, Pennsylvania, Delaware and the District of Columbia.

