



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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FINAL DELIBERATIONS

With 10 days left in the 2003 session, legislative activity, both on the chamber floors and in committees, was nearing a crescendo this week. Monday, March 24, was the opposite chamber bill crossover date, that is, it was the date by which each chamber was to send to the other those bills it intends to pass favorably. After Monday, bills passed from the opposite chamber are referred to the Rules Committees, dimming the prospects for final passage.

Bills crossing from the chamber of origin go through a similar process in the opposite chamber. Legislation is read across the desk (first reading), is assigned to a principal standing committee, and is subject to a second public hearing. Often testimony in the second chamber committee hearing is limited to sponsor only. If the second chamber committee acts favorably, bills are reported to the floor for second and third reading votes. Any differences between the Senate and House versions of a bill must be resolved and agreed to by both before the legislation can reach the Governor's desk.

Next week is the last full week of the 2003 session with *sine die* scheduled for midnight on Monday, April 7. To date 19 bills have been passed by both chambers in identical form with concurrence by the Senate and House. These measures are now ready for gubernatorial consideration. As of Thursday, March 27, 297 Senate bills were in House committees and 440 House bills were assigned to Senate committees.

AGRICULTURE AND SEAFOOD INDUSTRY

The Senate passed [SB 698](#) that requires the Department of Natural Resources (DNR) to establish zones for power dredging of oysters and to regulate the opening and closing, locations, and sizes of the zones. Provisions added to the bill also require DNR to establish harvest sanctuaries in each power dredge zone and to monitor the effect of power dredging. The companion, [HB 1159](#), remains in committee.

Both [SB 248/HB 344](#), authorizing the Potomac River Fisheries Commission to levy oyster repletion fees and to regulate all oyster dredging, have passed to the opposite chamber. However, bills concerning the study of Suminoe oysters both remain in a Senate committee, [SB 475/HB 820](#).

The House endorsed legislation altering the Water Quality Improvement Act (WQIA) of 1998. As amended, [HB 1058](#) now suspends, from June 1, 2003 through March 31, 2004, penalty provisions of the WQIA and repeals the requirement that a nutrient management plan grant a right of entry to the Department of Agriculture (MDA). On October 1, 2003, MDA must enforce penalty provisions against owners or operators who have not submitted justification for delay either in submitting or implementing a plan; and, beginning April 1, 2004, penalty provisions for not submitting and not implementing a current plan must be enforced. (MDA is also required to conduct educational forums and to contact owners and operators not in compliance to increase the level of participation.) A similar Senate bill made it to the Senate floor, but was returned to committee ([SB 617](#)).

CRIMINAL MATTERS AND CORRECTIONS

[SB 569](#) requires the Board of Public Works (BPW) to pay a person who was convicted and confined for a crime the person did not commit the amount of actual (economic) damages the person suffered as a result of the error. The bill, passed by the Senate last week, also authorizes the BPW to grant, at its discretion, an amount for noneconomic damages, such as pain, suffering, physical impairment or disfigurement, mental anguish, loss of consortium, and other nonpecuniary injuries, but not including punitive damages. Financial or other appropriate counseling for the wronged person may also be provided.

To be eligible for these grants, a person must have received a full gubernatorial pardon stating that the person's conviction was shown to be in error by clear and convincing evidence, or else a court must have determined by clear and convincing evidence that the person's conviction was in error and the person did not

commit the crime. Other bills addressing this issue ([HB 10](#) and [SB 570](#)) have failed.

The maximum fine for felony identity fraud is increased from \$5,000 to \$25,000 under the provisions of [SB 135](#) and [HB 598](#), bills that passed to their opposite chambers in identical form. Felony identity fraud occurs when the value of the item gotten through the identity fraud scheme is \$500 or greater, or when the intent is to manufacture, distribute, or dispense another individual's personal identifying information without the person's consent.

The House approved [HB 730](#) this week, establishing the crime of fraud committed through Internet auction services. When the value of things taken exceeds \$500, the crime is a felony, with a maximum penalty of 15 years in jail and a \$10,000 fine. When what was taken is worth \$500 or less, the crime is a misdemeanor, earning a maximum 18 months in jail and a \$500 fine.

The Senate passed [SB 409](#) to strengthen the State's child pornography law by making it a felony to seduce or to entice a minor, or someone believed to be a minor, via computer, telephone, the Internet, or other electronic communication, with the intent to commit 2nd degree rape or a 2nd or 3rd degree sexual offense, and to take an overt action to those ends. The bill thus decides the issue of whether a person can be prosecuted for Internet solicitation of a minor when the person being solicited is only posing as a minor, but is, in fact, not one, as in the case of an investigator conducting a sting.

[SB 352/HB 593](#) propose to make it easier to convict a stalker by changing the standard required for a conviction from proving the defendant intended to place the victim in fear to proving a reasonable person would think the behavior would cause fear ("reasonable person standard"). Acts included in the crime have been expanded to include approaching or pursuing to cause not only fear of serious bodily harm or death, but also fear of assault, rape, or sexual offenses, or false imprisonment. The amended bills, which no longer contain identical language, have been approved and sent to opposite chambers. [SB 352](#) changes the crime of stalking from a misdemeanor to a felony, but [HB 593](#) does not.

The House approved several anti-terrorism measures:

- [HB 539](#) adds to existing anti-terrorism laws a prohibition against hoax attacks involving materials that appear to be toxic;

- [HB 796](#) requires owners and operators of hazardous material facilities to upgrade security measures in consultation with State police, the Maryland Emergency Management Agency, and local emergency management organizations, and establishes a Task Force on the Security of Hazardous Materials to make recommendations by the end of the year regarding hazardous-materials security at rail lines, rail yards, and other storage facilities and transportation routes; and
- [HB 643](#) defines terrorism by listing specific acts committed with the intent to intimidate, coerce, or instill fear in a civilian population. The bill makes it a felony to commit, or attempt or conspire to commit, an act of terrorism, punishable by imprisonment not to exceed life. Threatening to commit an act of terrorism and knowingly harboring a terrorist are also felonies, with maximum penalties of 10 years in jail and a \$10,000 fine and 20 years in jail and a \$25,000 fine, respectively.

Current ballistic fingerprinting requirements for handguns would have been expanded to apply to all new firearms under failed [HB 696](#). Companion [SB 208](#) and a proposal to repeal ballistic fingerprinting requirements ([HB 579](#)) have seen no action.

[SB 596](#) would have changed the crime of visual surveillance, with prurient intent and without consent, of a person in a private place from a misdemeanor to a felony. Similarly changed was the crime of using a camera for deliberate surreptitious observation of a person inside a private residence. However, the bill died in committee, and companion [HB 570](#) was withdrawn.

ECONOMIC, BUSINESS, AND CONSUMER ISSUES

Legislation authorizing the Maryland Small Business Development Financing Authority to use the Small Business Development Guaranty Fund to guarantee certain loans used to refinance applicants' existing debt ([HB 103](#)) received final passage this week and will go to the Governor for his consideration.

Also progressing down the legislative track, [SB 618](#) alters the purposes of a community legacy project to include the financing of a neighborhood intervention project for the rehabilitation or demolition of properties located in stable neighborhoods. The measure passed the Senate with amendments and will be before a House

committee next week. The companion, [HB 620](#), is in the Senate.

Other House legislation scheduled for Senate hearings next week:

- establishes a method of licensure for individuals wishing to act as athlete agents ([HB 361](#)); and
- alters the scope of the Maryland Consumer Protection Act to prohibit a person from bringing an action to recover for injuries sustained as a result of the professional services provided by a health care provider in certain circumstances ([HB 294](#)). As defined, “health care provider” includes hospitals. The companion, [SB 283](#), has passed the Senate in identical form and is waiting for House action.

Bills that were withdrawn or that failed in committee include:

- [SB 686](#) that would have required lodging establishments to offer an accessible room on the 6th floor or below to a person with a mobility impairment;
- [HB 877](#) that would have required financial institutions to provide copies of certain application forms, information, and records to victims of identity fraud;
- [HB 768](#) that would have required the Secretary of Budget and Management to establish a statewide Telework and Workforce Development Center Pilot Program; and
- [SB 662/HB 1118](#) that would have established the Maryland Summer Youth Connection Program to provide paid summer work opportunities, employability training, and career counseling to disadvantaged youth.

EDUCATION

The House approved and sent to the Senate a heavily amended [HB 859](#) that establishes a Maryland Public Charter School program with chartering authority granted to the local boards of education. If a local board of education denies an application, the applicant can appeal the decision to the State Board of Education. The decision of the State Board is final. The public charter school must operate under the direct supervision of the

local board of education in accordance with the charter granted to the school and the provision of law governing other public schools in the county.

Also passing third reading votes in the House were:

- [HB 718](#) that establishes a Task Force to Study Extracurricular Activities at Public Schools for Home School and Private School Students to make recommendations on allowing nonenrolled students access to extracurricular activities in public primary and secondary schools; and
- [HB 153](#) that establishes the Resident Teacher Corps Pilot Program as an alternative route to the teaching profession and a method for attracting career-changers to the teaching program. The State Superintendent of Schools must award a resident teacher certificate, valid for 2 years, to an applicant who holds a bachelor’s degree or a higher degree with a concentration in a discipline appropriate to the curriculum that the applicant will teach. An applicant must also have a grade point average of at least 2.75 or its equivalent from an accredited institution of higher education, and present qualifying scores on the basic skills and required content teacher certification tests. Currently, a similar resident teacher certificate program is established by regulation. Companion [SB 151](#) failed in a Senate committee in February.

The Senate acted favorably on [SB 520](#) that exempts an individual other than a nonimmigrant alien from paying nonresident tuition at an institution of higher education in the State if the individual meets certain criteria. The companion, [HB 253](#), passed the House last week.

ELECTIONS

Several bills, passed by the first chamber, were examined by the second chamber committees this week:

- [HB 504](#) expands the definition of campaign material to include any recorded telephone campaign advertisement;
- [HB 1061](#) establishes a Maryland Election Modernization Fund;
- [SB 213](#) specifies that a State employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the

State may use 1 hour of administrative leave for each hour of service, up to a total of 8 hours for each day of service, in addition to receiving election judge compensation;

- [SB 244](#), among other things, requires on or before a certain date that the presiding officer of a national party convention provide written notice to the State Board of Elections the name and address of the presidential and vice presidential nominees to be placed on the ballot at the next succeeding general election;
- [SB 313](#) requires a political party to notify the State Board of Elections at least 6 months before a primary election if the party will allow voters not affiliated with the party to vote in its primary election; and
- [SB 432](#) 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."

Each of the Senate bills received a favorable committee vote with a reporting date of March 31.

ENVIRONMENTAL MATTERS

A Senate proposal making changes in noise and pollution control efforts has passed second reading in the House. [SB 320](#) encourages local governments to consider compliance with State or local noise standards before acting on variance requests or changes in zoning. The bill also alters membership criteria and increases the number of members of the Environmental Noise Advisory Council; requires the Maryland Department of Environment (MDE) to submit proposed revisions in noise regulations to the Council, to conduct public hearings, and to provide technical input on the revisions; and expands the membership of the Interagency Noise Control Committee. Companion [HB 174](#) remains in a Senate committee.

Senate bills under consideration in House committees include:

- [SB 95](#) that removes the requirement that a civil penalty for an asbestos removal violation must have been previously assessed before a criminal sanction can apply;

- [SB 287](#) that, in order to protect aquatic ecosystems and the productivity of State waters, authorizes the Department of Natural Resources (DNR) to issue regulations that prohibit the importation, possession, or introduction of nonnative aquatic organisms into State waters and to inspect properties to determine if a "state of nuisance" exists. (The bill includes provisions relating to abatement and establishes penalties, but does not apply to permitted aquaculture operations); and
- [SB 394](#) that, as amended, establishes minimum energy efficiency standards for 8 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 March 1, 2005, or installed in Maryland after January 1, 2006. Ceiling fan light kits and commercial clothes washers would not have to meet the standards until 2007 and 2008. The companion, [HB 747](#) will be reported out of a House committee with favorable action on March 31.

House bills heard by Senate committees this week or scheduled for a hearing soon include:

- [HB 659](#) that establishes the Task Force on Water Resource Management to review assessments of the quality and quantity of the management and protection of water resources; to review the results of research on climate change and its impacts on aquifers; and to make recommendations to assure that the management and protection of the State's ground and surface water resources are consistent with sustainable use and protection of the water resources ([SB 630](#), the companion, was withdrawn);
- [HB 970](#) that establishes a Commission on Environmental Justice and Sustainable Communities within MDE to, among other things, advise State agencies on environmental justice and related community issues (The bill continues an existing commission established by executive order in 2001); and
- [HB 1051](#) that changes MDE's Voluntary Cleanup Program (VCP) portion of the Brownfields initiative by exempting certain property owners and operators from the definition of a "responsible person" under the Controlled Hazardous Substances Law, by allowing a reduction of the application fee for

participation in VCP under certain conditions, and by providing that a determination by MDE that it has no further requirements under VCP is transferable to subsequent purchasers under specified conditions.

FINANCIAL INSTITUTIONS

Having hearings this week in the opposite chamber, [SB 160](#)/[HB 117](#) clarify the return of specific cancelled checks to account holders, as well as options and format of returned cancelled check facsimiles if they are returned in place of the original cancelled checks.

FISCAL MATTERS

Late in the week, the Senate considered the Budget Bill, [HB 40](#), with 148 amendments and passed its version Friday evening. Senate recommendations reduce the Governor's General Fund appropriations by \$183.7 million, which is \$21.7 million less than the House reductions, making the Senate proposal \$207.7 million under the Spending Affordability Committee's guidelines. The House proposal is \$235.6 million under the guidelines. If the Budget Bill is not passed by both chambers in identical form by March 31, the Governor must issue a proclamation extending the session, during which time the General Assembly may only deal with the Budget Bill and the costs associated with the extended session. A bond bill may not pass until the Budget Bill has passed.

Among the differences in budget policy between the chambers are Senate recommendations to:

- delete \$30.6 million from the Teacher's Salary Challenge grant program. The House suggests half that amount;
- delete \$2.1 million from State universities and colleges. The House cut \$40.1 million;
- provide \$4.9 million more in private college and university assistance than the House;
- provide \$3.5 million in textbook aid to nonprofit schools. The House provides \$3 million;
- restore \$5 million in county disparity grant aid deleted by the House; and
- delete \$6.5 million from the State Department of Education for the transfer of the Charles H. Hickey School. The House reduced the transfer funding by \$2.7 million.

The "Budget Reconciliation and Financing Act of 2003" or BRFA also received a green light by the Senate on Friday evening ([HB 935](#)). Senate amendments transfer \$160 million from the Transportation Trust Fund to the General Fund for fiscal 2003, and \$144.9 million for fiscal 2004. Other Senate amendments include many of the tax compliance and business revenue enhancement provisions of [HB 753](#); increases in the annual report filing fees for business entities, from \$100 to \$250, and expansion of the types of entities required to file; and a requirement that a plan to replenish the Transportation Trust Fund be prepared by December 1. Amendments also make BRFA ([HB 935](#)) contingent on the passage and taking effect of [SB 322](#) or [HB 359](#), the slot machine bills.

A revenue measure, [HB 753](#), as amended and passed by the Senate on Friday, extends the 2% insurance premium tax to health maintenance organizations and managed care organizations, increases the tobacco tax rate for products other than cigarettes from 15% to 45% of the wholesale price, places a 10% income tax surcharge on corporate income tax for taxable year 2003, and requires the preparation by December 1 of a plan to replenish the Transportation Trust Fund. The bill now returns to the House for consideration of the Senate amendments.

The House passed on second reading [HB 140](#), the "Maryland Consolidated Capital Bond Loan of 2003" with 42 amendments that increases the bond authorization amount from \$722.5 million to \$742.5 million. As amended the bill authorizes:

- \$90.9 million for public school construction, \$212.7 million for construction at State universities and colleges, \$40.9 million for construction grants to community colleges, and \$14.2 million for grants to private colleges and universities;
- \$115.7 million for environmental programs including \$31.1 million for Program Open Space, \$5 million for the Rural Legacy Program, \$21.2 million for the Agricultural Land Preservation Program, \$10 million for the Community Parks and Playground Program, and \$11.5 million for nutrient removal programs; and
- \$106.9 million for public safety facilities.

Other provisions include \$8.7 million for the Community Legacy Program and \$6.9 million for the One Maryland Program.

HEALTH CARE AND INSURANCE

The Darrell Putman Compassionate Use Act legislation ([SB 502/HB 702](#)) has now passed in both original chambers. The Senate amended its bill to duplicate the House version, allowing evidence of medical necessity to be introduced as a mitigating factor for those being prosecuted for the use of marijuana. The bills must now go through the legislative process in the other chamber.

Legislation relating to the protection of residents of nursing homes or assisted living facilities is also under scrutiny in the opposite chamber after action in the chamber of origin:

- [SB 77](#), scheduled for a House hearing, requires the Department of Health and Mental Hygiene (DHMH) to provide written notice to residents or their families when violations and disciplinary action against the facility has adversely affected the care and treatment of residents;
- [HB 149](#), Vera's Law, allows electronic monitoring of residents at an institution such as a nursing home with permission from residents or their representatives and, as amended, requires guidelines to be established; and
- [HB 830](#), to be heard next week by a Senate committee, establishes the Maryland Quality Home Care Services Commission to improve the quality of personal home care services through regulation, increased accountability, and enhanced consumer ability to obtain home care services, as well as to work to better the working conditions of the providers. The bill was amended to remove the collective bargaining powers of the Commission. The companion, [SB 690](#), received an unfavorable vote by a Senate committee earlier.

The House passed legislation, [HB 615](#), authorizing pharmacists to dispense emergency contraception if the licensed pharmacist has an approved arrangement with a physician, but the companion, [SB 354](#), failed a Senate committee vote.

Withdrawn from their respective committees, [SB 457](#) and [HB 772](#), would have prohibited 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. Similar legislation in past sessions also failed to move out of committee.

Legislation regarding the regulation of crematories in the State received unfavorable committee votes. [SB 484/HB 756](#) would have required the State Board of Morticians to regulate and license operators of crematories. Currently, cremation services provided by cemeteries are not regulated. Another bill, [HB 13](#) (withdrawn), would have provided for regulation of crematories by either the Board or the Office of Cemetery Oversight.

Significant legislative activity took place this week as a result of the Maryland Insurance Commissioner's ruling not to authorize the conversion of CareFirst to a for profit entity.

The Senate passed its version of reform legislation with respect to CareFirst as a nonprofit health service plan ([SB 772](#)). The full Senate also agreed to an amended [SB 773](#) requesting the Maryland Insurance Commissioner to determine if any violations of the State's insurance law in CareFirst's request to convert to for-profit status were committed and to report any findings to the Governor and General Assembly by July 1, 2003. Additionally, the bill requests the Attorney General's Office to determine if any violation of federal or State civil, criminal, or administrative law occurred, with a report due to the Governor and General Assembly by September 1, 2003. The House has scheduled a committee hearing on the measure next week.

Bill hearings were held this week on Senate and House versions of [SB 477](#) and [HB 2](#), the Small Business Health Insurance Affordability Act. Both bills include a provision reducing the premium rate affordability cap for the standard plan from 12% to 10% of the average annual wage in Maryland.

A Senate committee took testimony on [HB 143](#) and a House committee heard public comments on [SB 334](#), bills that continue the Medbank program which assists low-income individuals who lack prescription drug coverage to access medically necessary prescription drugs through patient assistance programs sponsored by pharmaceutical drug manufacturers.

Passed by the House, the Maryland Insurance Affordability Act of 2003 ([HB 1100](#)) extends available coverage under the Maryland Health Insurance Plan

(MHIP), a program for the medically uninsured, to individuals who are eligible for a tax credit under the federal Trade Act of 2002. Based on the bill's amendments, individuals who could participate in the MHIP include Bethlehem Steel retirees between the ages of 55 to 64.

[SB 774](#), a controversial bill proposing an alternate regulatory scheme for the licensure and discipline of physicians, is pending on the Senate floor. No House committee action has been taken on companion [HB 1182](#).

A committee reported unfavorably on [SB 557](#), Public-Private Partnership for Health Coverage for all Marylanders that would have aimed at extending health insurance coverage to the State's reported 600,000 uninsured.

HOUSING

Legislation relating to the Reduction of Lead Risk in Housing Program within the Maryland Department of the Environment (MDE) continued to see action this week as a Senate committee examined:

- [HB 589](#) to exempt outside surfaces of an affected property from the Program's risk reduction standards, if the owner submits an inspection report to MDE that complies with specified requirements; and
- [HB 722](#) to require a local government agency to report to MDE any known property that is noncompliant.

Other Lead Risk in Housing Program bills received unfavorable committee votes:

- [HB 714](#) would have extended the existing rental subsidy under a "qualified offer" to apply to owner-occupied dwellings purchased by a tenant who is permanently relocated. (The subsidy would have covered the difference between the rent paid and the mortgage payment, as well as closing costs);
- [HB 720](#) would have required a landlord to include in a written complaint when repossessing property, a statement that Program requirements have been satisfied; and

- [HB 1146](#) would have made several definitional changes.

Legislation that would have created a Study Commission on Housing Policy ([SB 586](#)) was withdrawn. The companion, [HB 845](#), is still in the House.

SPORTS AND GAMING

The Senate approved its version of slots legislation this week. [SB 322](#) provides for 10,500 video lottery terminals (slot machines) at racetracks at Pimlico, Laurel, Rosecroft, and at a future one in Allegany County. This bill is now pending in a House committee.

The House passed and sent the Senate:

- [HB 679](#) that allows for deer hunting on Sundays on private property during bow hunting season in November and on the first and second Sunday of the deer firearms season, except in Anne Arundel, Baltimore, Harford, Howard, Montgomery, and Prince George's Counties, in a portion of Frederick County, and in Baltimore City and the City of Frederick; and
- [HB 954](#) that decreases the minimum distance, from 800 yards to 400 yards, that a person must be from the shore when hunting wild waterfowl in the Susquehanna Flats while standing in the water on the natural bottom, hunting from a drifting boat or one that is being sculled, or hunting from an anchored boat.

Receiving an unfavorable committee vote, [HB 337](#) would have lengthened the deer firearms season to 21 days. During the 2002-2003, the season ranged from 14 to 16 days depending on the region.

STATE GOVERNMENT

In recent years the legislature has added *astrodon johnstoni* as the State dinosaur (1998) and designated the calico cat the State cat (2001). For the first time, if the House of Delegates prevails, Marylanders will also have a State exercise, walking. Senate committee members considered the bill, [HB 98](#), late this week. Additionally, if the Senate prevails, the Thoroughbred horse may be designated as the State horse. House committee members heard testimony on that proposal, [SB 43](#) earlier in the week.

TRANSPORTATION

In committee hearings, Senators or Delegates considered the following bills from the opposite chamber:

- False, Fictitious, or Fraudulent Representation to Legislative Branch Units - [SB 26](#) sets penalties for making a false representation in a hearing or other proceeding that is required to be recorded;
- Task Force to Study Efficiency in Procurement - [SB 492](#), as amended, requires a report to the Governor and legislature by the end of this year;
- Minority Business Participation Advisory Committee - [SB 527](#) reviews the performance of State agencies in meeting Minority Business Enterprise (MBE) program goals, recommends improvements; and evaluates the disparity index for American Indians/Native Americans, Asians, Hispanics, and physically or mentally disabled individuals; and
- Maryland Whistleblower Laws - [HB 403](#), as amended, extends protection to employees of the legislative branch and to employees of State contractors and subcontractors. Amendments exclude employees of the judicial branch and certain health care workers. Executive branch employees are protected by current law.

Other bills related to the MBE program are scheduled for hearings on the opposite side next week. [SB 715](#) requires State compliance with procurement laws related to minority business enterprises under specified circumstances and [HB 1109](#) allows continued participation in a minority business program under certain conditions when a contractor exceeds the maximum personal net worth requirement of the program.

[SB 526](#), as passed by the Senate, requires certain recipients of loans or grants from public or quasi-public State agencies to comply with MBE procurement goals and requirements.

The Senate passed a measure allowing local governing bodies to issue citations or warnings to vehicle owners for speeding based on evidence collected by speed monitoring systems. The maximum civil penalty is \$100. The cameras will only be allowed in residential neighborhoods with a maximum posted speed limit of 35 mph or in school zones. Under the amended [SB 455](#), a local jurisdiction may only use the system if the system is adopted by an ordinance or resolution that allows for a public hearing. In addition, a notice must be published in a newspaper of the location of a speed monitoring system before it is activated.

The House passed amended legislation that sets up a task force to study whether restrictions should be eased to allow illegal immigrants to obtain Maryland driver's licenses. Under [HB 838](#) the task force will report its findings by December 1, 2004, and make recommendations to the General Assembly regarding what documentation the Motor Vehicle Administration may accept for the purpose of proving the age, identity, and residence of a driver's license applicant, if the applicant does not have a social security number. The task force will also study the feasibility, including the cost, of developing a process for reviewing drivers' license applications to determine whether the applicant poses a danger to public safety.

The Senate passed a heavily amended measure ([SB 497](#)) that now establishes a Transportation Public-Private Partnership Program in the Maryland Transportation Authority (MdTA). The House has scheduled a hearing next week on the legislation. The program is to develop partnership agreements between private entities and MdTA or the Maryland Department of Transportation to acquire, construct or improve transportation facilities and to maintain and service new, expanded, or purchased transportation facilities. The program can solicit proposals and accept unsolicited proposals for evaluation if it the project is part of the consolidated transportation plan.

<p><i>The Legislative Wrap-Up</i> was updated at 7:00 p.m., March 28, 2003.</p>
