

JOURNAL
of
PROCEEDINGS
of the
SENATE
of
MARYLAND
REGULAR SESSION, 2008
VOLUME I

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2008 SENATE JOURNAL

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Annapolis, Maryland
Wednesday, January 9, 2008
12:00 Noon

The Senate met at 12:05 P.M.

Call to order by the Secretary of the Senate.

Prayer by Reverend Greg St. Cyr, Bay Area Community Church, guest of Senator Greenip.

STATE OF MARYLAND, TO WIT:

This being the day prescribed by Article 3, Section 14, of the Constitution of the State of Maryland for the meeting of the General Assembly of Maryland, at 12:00 o'clock Noon, William B.C. Addison, Jr., Secretary of the Senate for the preceding Session, called the Senate to order.

Present at the roll call were the following Senators:

- District 1 - Allegany, Garrett and Washington
George C. Edwards
- District 2 - Washington
Donald F. Munson
- District 3 - Frederick and Washington
Alexander X. Mooney
- District 4 - Frederick and Carroll
David R. Brinkley
- District 5 - Carroll and Baltimore
Larry E. Haines
- District 6 - Baltimore County
Norman R. Stone, Jr.
- District 7 - Baltimore and Harford
Andrew P. Harris
- District 8 - Baltimore County
Katherine A. Klausmeier
- District 9 - Howard and Carroll
Allan H. Kittleman
- District 10 - Baltimore County
Delores G. Kelley
- District 11 - Baltimore County
Robert A. Zirkin
- District 12 - Baltimore County and Howard
Edward J. Kasemeyer

District 13	-	Howard James N. Robey
District 14	-	Montgomery Rona E. Kramer
District 15	-	Montgomery Robert J. Garagiola
District 16	-	Montgomery Brian E. Frosh
District 17	-	Montgomery Jennie M. Forehand
District 18	-	Montgomery Richard S. Madaleno, Jr.
District 19	-	Montgomery Mike Lenett
District 20	-	Montgomery Jamie Raskin
District 21	-	Prince George's and Anne Arundel James Rosapepe
District 22	-	Prince George's Paul G. Pinsky
District 23	-	Prince George's Douglas J.J. Peters
District 24	-	Prince George's Nathaniel Exum
District 25	-	Prince George's Ulysses Currie
District 26	-	Prince George's C. Anthony Muse
District 27	-	Prince George's and Calvert Thomas V. Mike Miller, Jr.
District 28	-	Charles Thomas Mac Middleton
District 29	-	Calvert, Charles and St. Mary's Roy P. Dyson
District 30	-	Anne Arundel John C. Astle
District 31	-	Anne Arundel Bryan W. Simonaire
District 32	-	Anne Arundel James E. DeGrange, Sr.
District 33	-	Anne Arundel Janet Greenip
District 34	-	Harford and Cecil Nancy Jacobs
District 35	-	Harford Barry Glassman
District 36	-	Kent, Queen Anne's, Cecil and Caroline

		E.J. Pipkin
District 37	-	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	-	Somerset, Wicomico and Worcester J. Lowell Stoltzfus
District 39	-	Montgomery Nancy J. King
District 40	-	Baltimore City Catherine E. Pugh
District 41	-	Baltimore City Lisa A. Gladden
District 42	-	Baltimore County James Brochin
District 43	-	Baltimore City Joan Carter Conway
District 44	-	Baltimore City Verna L. Jones
District 45	-	Baltimore City Nathaniel J. McFadden
District 46	-	Baltimore City George W. Della, Jr.
District 47	-	Prince George's Gwendolyn Britt

Forty-seven Senators having answered to their names, the Secretary announced that a quorum being present, the Senate of Maryland, 2008 Session is now ready for the transaction of business.

The first order of business was the election of the President Pro Tem.

The Honorable Edward Kasemeyer nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable Brian Frosh and the Honorable Joan Carter Conway. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 11)

The Honorable Ulysses Currie and the Honorable Lisa Gladden were appointed to escort the President Pro Tem to the Chair.

The oath of office was administered to the Honorable Nathaniel McFadden by the Secretary of the Senate, William B.C. Addison, Jr.

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

The next order of business was the election of the President of the Senate. This election was presided over by the President Pro Tem of the Senate.

The Honorable Ulysses Currie, seconded by the Honorable Thomas M. Middleton and the Honorable Catherine Pugh, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

The roll was then called, which resulted in the election of the Honorable Thomas V. Mike Miller, Jr. of District 27, as President of the Senate.

The roll call vote resulted as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 12)

The Honorable Edward J. Kasemeyer and the Honorable David R. Brinkley were appointed to escort the President to the Chair.

The oath of office was administered to Senator Thomas V. Mike Miller, Jr. by the President Pro Tem, the Honorable Nathaniel McFadden.

Remarks by the President, Senator Thomas V. Mike Miller, Jr.

Introduction and remarks by United States Senator Barbara Mikulski.

Introduction and remarks by Lieutenant Governor Anthony Brown.

Introduction and remarks by Governor Martin O'Malley.

Introduction of Honored Guests.

Introduction of Chinese Delegation.

ORDERS

January 9, 2008

ORDER

BY THE MAJORITY LEADER:

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2008, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Special Session of 2007.

The Rules, with the exception of Rule 116, were adopted by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 13)

Senator Klausmeier moved to make Rule 116 a Special Order for January 16, 2008.

The motion was adopted.

January 9, 2008

ORDER

BY THE MAJORITY LEADER:

RESOLVED, That the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2008:

- Secretary of the Senate - William B.C. Addison, Jr.
- Assistant Secretary of the Senate - Katherine L. Larrabee
- Journal Clerk - Donald G. Hopkins
- Assistant Journal Clerk - Dorothy D. Chaney
- Reading Clerk - Lynne B. Porter
- Proceedings Clerk - Johanne H. Greer
- Chief Page - Donna L. Horgan

The motion was adopted

January 9, 2008

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Regular Legislative Session of 2008, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

Read and adopted.

January 9, 2008

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2008, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

Read and adopted.

ANNOUNCEMENT

January 9, 2008

The President makes the following announcement:

Majority Leader -	Senator Edward J. Kasemeyer
Deputy Majority Leader -	Senator Rob Garagiola
Assistant Deputy Majority Leader -	Senator Gwendolyn Britt
Assistant Deputy Majority Leader -	Senator James N. Robey
Majority Whip -	Senator Lisa A. Gladden
Deputy Majority Whip -	Senator Catherine E. Pugh
Assistant Deputy Majority Whip -	Senator Mike Lenett
Assistant Deputy Majority Whip -	Senator James Rosapepe
Chairman, Democratic Caucus -	Senator Rob Garagiola

Read and ordered journalized.

ANNOUNCEMENT

January 9, 2008

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 9, 2008.

BUDGET AND TAXATION

Senator Ulysses Currie, Chairman
Senator Edward J. Kasemeyer, Vice-Chairman

Senator David R. Brinkley	Senator Nathaniel J. McFadden
Senator James E. DeGrange, Sr.	Senator Donald F. Munson
Senator George C. Edwards	Senator Douglas J.J. Peters
Senator Verna L. Jones	Senator James N. Robey
Senator Nancy J. King	Senator J. Lowell Stoltzfus
Senator Rona E. Kramer	Senator Robert A. Zirkin
Senator Richard S. Madaleno, Jr.	

EDUCATION, HEALTH & ENVIRONMENTAL AFFAIRS COMMITTEE

Senator Joan Carter-Conway, Chairman
Senator Roy P. Dyson, Vice-Chairman

Senator Gwendolyn Britt	Senator Mike Lenett
Senator Richard F. Colburn	Senator Paul G. Pinsky
Senator Janet Greenip	Senator James C. Rosapepe
Senator Andrew P. Harris	

FINANCE COMMITTEE

Senator Thomas M. Middleton, Chairman
Senator John C. Astle, Vice-Chairman

Senator George W. Della, Jr.	Senator Allan H. Kittleman
Senator Nathaniel Exum	Senator Katherine Klausmeier
Senator Robert Garagiola	Senator E.J. Pipkin
Senator Barry Glassman	Senator Catherine E. Pugh
Senator Delores G. Kelley	

JUDICIAL PROCEEDINGS COMMITTEE

Senator Brian E. Frosh, Chairman
 Senator Lisa A. Gladden, Vice-Chairman

Senator James Brochin
 Senator Jennie M. Forehand
 Senator Larry E. Haines
 Senator Nancy Jacobs
 Senator Alexander X. Mooney

Senator C. Anthony Muse
 Senator Jamie Raskin
 Senator Bryan W. Simonaire
 Senator Norman R. Stone, Jr.

RULES COMMITTEE

Senator Katherine Klausmeier, Chairman
 Senator Brian E. Frosh, Vice-Chairman

Senator David R. Brinkley
 Senator Ulysses Currie
 Senator Roy P. Dyson
 Senator Larry E. Haines
 Senator Edward J. Kasemeyer

Senator Nathaniel J. McFadden
 Senator Thomas M. Middleton
 Senator Thomas V. Mike Miller, Jr.
 Senator Donald F. Munson

ANNOUNCEMENT

January 9, 2008

The President makes the following appointments to continuing committees pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 9, 2008.

EXECUTIVE NOMINATIONS

Senator Delores G. Kelley, Chairman
 Senator James E. DeGrange, Sr., Vice-Chairman

Senator David R. Brinkley
 Senator Joan Carter-Conway
 Senator Richard F. Colburn
 Senator Ulysses Currie
 Senator Jennie M. Forehand
 Senator Brian E. Frosh
 Senator Larry E. Haines
 Senator Edward J. Kasemeyer

Senator Allan H. Kittleman
 Senator Katherine Klausmeier
 Senator Rona E. Kramer
 Senator Nathaniel J. McFadden
 Senator Thomas M. Middleton
 Senator Thomas V. Mike Miller, Jr.
 Senator Donald F. Munson
 Senator Norman R. Stone, Jr.

JOINT COMMITTEE ON PROTOCOL

Senator Rona E. Kramer, Senate Co-Chairman
Senator Larry E. Haines, Senate Co-Chairman

Senator James E. DeGrange, Sr.

Senator Katherine Klausmeier

ANNOUNCEMENT

January 9, 2008

The President makes the following appointments to the statutory committees; the appointments are effective as of January 9, 2008.

LEGISLATIVE POLICY COMMITTEE

Senator Thomas V. Mike Miller, Jr., Co-Chairman

Senator John C. Astle

Senator Larry E. Haines

Senator David R. Brinkley

Senator Edward J. Kasemeyer

Senator Joan Carter Conway

Senator Allan H. Kittleman

Senator Ulysses Currie

Senator Nathaniel J. McFadden

Senator James E. DeGrange, Sr.

Senator Thomas M. Middleton

Senator Brian E. Frosh

Senator Norman R. Stone, Jr.

Senator Lisa A. Gladden

**JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE
AND LEGISLATIVE REVIEW**

Senator Paul G. Pinsky, Senate Chairman

Senator David R. Brinkley

Senator Jennie M. Forehand

Senator Gwendolyn Britt

Senator Lisa A. Gladden

Senator James Brochin

Senator Allan H. Kittleman

Senator Richard F. Colburn

Senator Richard S. Madaleno, Jr.

JOINT AUDIT COMMITTEE

Senator Verna L. Jones, Senate Chairman

Senator John C. Astle

Senator Rona E. Kramer

Senator David R. Brinkley

Senator Nathaniel J. McFadden

Senator Ulysses Currie
Senator George C. Edwards
Senator Jennie M. Forehand

Senator E.J. Pipkin
Senator Catherine E. Pugh

**JOINT COMMITTEE ON THE CHESAPEAKE & ATLANTIC COASTAL BAYS
CRITICAL AREAS**

Senator Roy Dyson, Senate Chairman

Senator Richard F. Colburn
Senator E.J. Pipkin

Senator Jamie Raskin
Senator Norman R. Stone, Jr.

JOINT COMMITTEE ON LEGISLATIVE ETHICS

Senator Norman R. Stone, Jr., Senate Chairman

Senator David R. Brinkley
Senator Roy P. Dyson
Senator Nathaniel J. McFadden

Senator Donald F. Munson
Senator Jamie Raskin

JOINT COMMITTEE ON FEDERAL RELATIONS

Senator Jennie M. Forehand, Senate Chairman

Senator Nathaniel Exum
Senator Rob Garagiola
Senator Verna L. Jones
Senator Michael Lenett

Senator Donald F. Munson
Senator Jamie Raskin
Senator James C. Rosapepe

JOINT COMMITTEE ON ACCESS TO MENTAL HEALTH SERVICES

Senator Delores G. Kelley, Senate Chairman

Senator Gwendolyn Britt
Senator Joan Carter Conway

Senator Robert J. Garagiola

JOINT COMMITTEE ON HEALTH CARE DELIVERY AND FINANCING

Senator Robert J. Garagiola, Senate Chairman
Senator Delores G. Kelley, Senate Vice-Chairman

Senator Richard F. Colburn

Senator Michael Lenett

Senator Janet Greenip
Senator Andrew P. Harris

Senator C. Anthony Muse

JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS

Senator Verna L. Jones, Senate Chairman

Senator Ulysses Currie
Senator Jennie M. Forehand

Senator Larry E. Haines

JOINT COMMITTEE ON SPENDING AFFORDABILITY

Senator Ulysses Currie, Senate Chairman

Senator David R. Brinkley
Senator James E. DeGrange, Sr.
Senator Edward J. Kasemeyer
Senator Rona Kramer
Senator Richard S. Madaleno, Jr.

Senator Nathaniel J. McFadden
Senator Thomas M. Middleton
Senator Thomas V. Mike Miller, Jr.
Senator Donald F. Munson

**WORKERS= COMPENSATION BENEFIT AND
INSURANCE OVERSIGHT COMMITTEE**

Senator Nathaniel Exum, Senate Chairman
Senator Allan H. Kittleman

ANNOUNCEMENT

January 9, 2008

The President makes the following appointments to Joint Committees and Special Joint Committees; the appointments are effective as of January 9, 2008.

**JOINT ADVISORY COMMITTEE ON
LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

Senator Richard S. Madaleno, Jr.
Senator Donald F. Munson

Senator James C. Rosapepe

JOINT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

Senator Rob Garagiola, Senate Chairman

Senator David R. Brinkley
Senator Joan Carter Conway
Senator Jennie M. Forehand
Senator Nancy Jacobs
Senator Verna L. Jones

Senator Nancy J. King
Senator Rona E. Kramer
Senator C. Anthony Muse
Senator Robert A. Zirkin

JOINT COMMITTEE ON PENSIONS

Senator Nathaniel J. McFadden, Chairman

Senator Ulysses Currie
Senator Edward J. Kasemeyer
Senator Rona E. Kramer

Senator Donald F. Munson
Senator James N. Robey

**JOINT SUBCOMMITTEE ON PROGRAM OPEN
SPACE/AGRICULTURAL LAND PRESERVATION**

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards
Senator Michael Lenett

Senator Donald F. Munson
Senator Robert A. Zirkin

JOINT TECHNOLOGY OVERSIGHT COMMITTEE

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle
Senator Ulysses Currie
Senator Rob Garagiola

Senator Lisa A. Gladden
Senator Donald F. Munson

JOINT COMMITTEE ON WELFARE REFORM

Senator Nathaniel Exum, Senate Chairman

Senator Lisa A. Gladden
Senator E.J. Pipkin

Senator Catherine E. Pugh

ANNOUNCEMENT

January 9, 2008

The President makes the following appointments to a Senate Special Committee; the appointments are effective as of January 9, 2008.

SPECIAL COMMITTEE ON SUBSTANCE ABUSE

Senator Nathaniel Exum, Chairman
Senator Catherine E. Pugh, Vice-Chairman

Senator James Brochin
Senator Joan Carter Conway
Senator Roy P. Dyson
Senator Larry E. Haines

Senator Verna L. Jones
Senator Douglas J.J. Peters
Senator Paul G. Pinsky
Senator Robert A. Zirkin

ANNOUNCEMENTS BY THE MINORITY CAUCUS

January 9, 2008

The Senate Minority Caucus met on November 16, 2007, for the purpose of electing the Minority Floor Leaders for the 2008 Legislative Session. The following members have been selected:

Senate Minority Leader: Honorable David R. Brinkley, District 4

Senate Minority Whip: Honorable Allan H. Kittleman, District 9

Read and ordered journalized.

MESSAGE TO THE SENATE

January 9, 2008

By The Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates has organized by the election of the Honorable Michael E. Busch, as Speaker of the House.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of five members, three on the part of the House and two on the part of the Senate, to

wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the House of Delegates, Delegates Howard, Harrison and McHale.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

January 9, 2008

By the Majority Leader,

Ladies and Gentlemen of the House of Delegates:

We have received your message notifying the Senate of the organization of your Honorable Body, and requesting the appointment of a joint committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make.

We have appointed on the part of the Senate, Senators Kasemeyer and Brinkley.

The Senate has organized by the election of the Honorable Thomas V. Mike Miller, Jr., as President.

By Order,
William B.C. Addison, Secretary

Read and adopted.

MESSAGE TO THE EXECUTIVE

January 9, 2008

By the Majority Leader,

His Excellency, the Governor of Maryland
Martin O'Malley

The Senate of Maryland is organized and prepared to receive any communication you may desire to make.

The President of the Senate is the Honorable Thomas V. Mike Miller, Jr.

By Order,

William B.C. Addison, Jr.
Secretary

Read and adopted.

MESSAGE FROM THE EXECUTIVE

January 9, 2008

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

Pursuant to Article II, Section 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2007 Recess of the General Assembly. I trust you will find the individuals to be well qualified for their respective positions and dedicated to improving the quality of life for all Maryland citizens.

Sincerely,

Governor

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
HC-0249 African American History And Culture, Commission On									
1.00		Mack, Theodore H. 619 Woodsmans Way Crownsville, MD 21032-	M	AA	ANAR	33	07/01/2007	06/30/2011	08/13/2007
2.00		LaRoche, Ph.D., Cheryl 5333 Strathmore Avenue Kensington, MD 20895-	F	AA	MONT	16	07/01/2007	06/30/2011	08/13/2007
7.00		Christian, Ph.D., Charles M. 113A North Rock Glen Road Baltimore, MD 21299-	M	AA	CITY	41	07/01/2005	06/30/2009	08/13/2007
AG-585 Agricultural and Resource-Based Industry Development Corp (MARBIDCO), Board of Directors of MD									
1.00	Ag Producer	Kilby, Phyllis E. 795 Firetower Road Colora, MD 21917-	F	W	CECL	34	07/01/2007	06/30/2011	07/01/2007
2.00	Ag Producer	Thompson, W. David 3611 Miller Road Street, MD 21154-	M	W	HRFD	35	07/01/2006	06/30/2010	06/11/2007
AG-0250 Agriculture Department, Board Of Review Of The									
4.00	General Public	Reeves, Stephen T. 2510 Hurry Road PO Box 797 Chaptico, MD 20621-	M	W	STMA	29	01/01/2007	12/31/2007	06/13/2007

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
TD-0041 Airport Zoning Appeals, Board Of									
6.00	Baltimore County	Lane, Ronald W. 503 S. 45th Street Baltimore, MD 21224-	M	W	BLCO	06	07/01/2005	06/30/2009	09/20/2007
7.00	Howard County	Hierholzer, John T. 10325 Wilde Lake Terrace Columbia, MD 21044-	M	W	HWRD	12	07/01/2006	06/30/2010	10/18/2007
8.00	Howard County	Moore, Douglas E. 3714 Garand Road Ellicott City, MD 21042-	M	AA	HWRD	14	07/01/2006	06/30/2010	10/18/2007
10.0	At Large	Barrientos, Laura L. 1714 Sulgrave Avenue Baltimore, MD 21209-	F	H	CITY	41	07/01/2004	06/30/2008	09/20/2007
CO-1501 Allegany County Board Of Elections									
4.00	Minority Party	Spiker, JoAnn 14401 New Georges Creek Road, S.W. Frostburg, MD 21532-	F	W	ALLG	01	06/04/2007	06/05/2011	06/04/2007
5.00	Minority Party	DeVore, Jr., Richard Lee P.O. Box 45 10325 Mason Dixon View, NW Ellerslie, MD 21529-0045	M	W	ALLG	01	06/04/2007	06/05/2011	06/04/2007
CO-1401 Allegany County Board Of License Commissioners									
2.00	Republican	Griffith, Michael W. 12213 Carlos Road, S.W. Frostburg, MD 21532-	M	W	ALLG	01	06/04/2007	06/03/2013	11/27/2007

Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
HE-0131 Anne Arundel Community College Board Of Trustees									
4.00		Fretwell, Victoria K. 1407 Stonecreek Road Annapolis, MD 21403-	F	W	ANAR	30	07/01/2007	06/30/2013	09/20/2007
CO-1502 Anne Arundel County Board Of Elections									
4.00	Minority Party	Brandt, Jeremiah M. 8154 Forest Glen Drive Pasadena, MD 21122-	M	W	ANAR	31	06/04/2007	06/05/2011	06/04/2007
5.00	Minority Party	Platt, Jr., Matthew W. 1362 Hollow Glen Court Baltimore, MD 21226-	M	W	ANAR	31	06/04/2007	06/05/2011	06/04/2007
EN-0365 Appalachian States Low-Level Radioactive Waste Commission									
1.00		Wilson, Shari T. 707 South President Street Unit #1127 Baltimore, MD 21202-	F	W	CITY	46	05/07/2007	05/06/2009	11/07/2007
2.00	Alternate	Summers, Ph.D., Robert M. 515 Anneslie Road Towson, MD 21212	M	W	BLCO	42	05/07/2007	05/06/2009	11/07/2007
3.00		Colmers, John M. 3422 Guilford Terrace Baltimore, MD 21218	M	W	CITY	43	05/07/2007	05/06/2009	05/15/2007
4.00	Alternate	Mitchell, M.D., Clifford Seth 5705 Woodcrest Avenue Baltimore, MD 21215-	M	W	CITY	41	05/07/2007	05/06/2009	05/15/2007

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
CC-2000 Appeals, Court of									
2.00	Second Appellate Circuit	Murphy, Jr. The Honorable Joseph F. 1202 Molesworth Road Parkton, MD 21120	M	W	BLCO	09	12/17/2007	11/04/2008	12/17/2007
LL-0148 Apprenticeship And Training Council									
9.00	Employer Representative	Kelly, Sr., Christopher F. 8431 Old Marlboro Pike Upper Marlboro, Maryland 20772	M	W	PGEO	25	07/01/2006	06/30/2010	12/19/2007
12.0	General Public	Williams, Sr., James A. 803 Old County Road Severna Park, MD 21146-	M	AA	ANAR	33	07/01/2006	06/30/2010	12/19/2007
BE-0176 Arts Council, Maryland State									
1.00		Johnson, Esquire, E. Scott 1115 South Linwood Avenue Baltimore, MD 21224-	M	W	CITY	46	07/01/2007	06/30/2010	07/01/2007
3.00		Mandicott, William 28 Beall's Lane Frostburg, MD 21532-	M	W	ALLG	01	07/01/2007	06/30/2010	07/01/2007
4.00		Mote, Patricia Lewis One Presidential Drive College Park, MD 20740-	F	W	PGEO	21	07/01/2006	06/30/2009	06/07/2007
5.00		Terry, Ph.D., David T. 8212 River Park Road Bowie, MD 20715-	M	AA	PGEO	23	07/01/2007	06/30/2010	07/01/2007
8.00		Cameron, Deborah W. 149 W. Montgomery Street Baltimore, MD 21230-	F	W	CITY	46	07/01/2007	06/30/2010	12/10/2007
12.0		Liu, Ph.D., Jon Jiang 4401 Winding Oak Drive Olney, MD 20832-	M	A	MONT	19	07/01/2006	06/30/2009	07/01/2007

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13.0		Harp, David W 11571 Riverton Wharf Road Mardela Springs, MD 21837-	M	W	WICO	37	07/01/2007	06/30/2010	07/01/2007
HH-0302	Audiologists, Hearing Aid Dispensers And Speech-Language Pathologists, State								
10.0	Consumer	Harris, Arlinda 3500 Lynnehaven Baltimore, MD 21207	F	AA	BICO	10	07/01/2007	06/30/2011	10/09/2007
IA-0175	Automobile Insurance Fund, Board Of Trustees And Executive Director								
3.00		Davis, Derrick L. 11505 Waesche Drive Mitchellville, MD 20721-	M	AA	PGEO	25	08/03/2007		08/03/2007
6.00		Welch, Yolanda Maria 10370 Pot Spring Road Lutherville, MD 21093-	F	H	BICO	42	09/28/2007		09/28/2007
7.00		O'Doherty, Esquire, Damian Colin 500 West Joppa Road Towson, MD 21204-	M	W	BICO	42	08/03/2007		08/03/2007
TD-0407	Aviation Commission, Maryland And Aviation Administration Executive Director								
8.00		Francis, Esquire, Betty Hager 12603 Spriggs Request Court Mitchellville, MD 20721-	F	AA	PGEO	23	10/01/2007	09/30/2010	10/01/2007
9.00		Nichols, Sr., Raymond C. 11810 Porfin Drive Berlin, MD 21811	M	W	WORC	38	10/01/2007	09/30/2010	10/01/2007

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Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
CO-1503		Baltimore City Board Of Elections							
1.00	Majority Party	Cager, Jr., Lawrence C. 3001 Granada Avenue Baltimore, MD 21207	M	AA	CITY	41	06/04/2007	06/05/2011	06/04/2007
2.00	Majority Party	Slayton, Kevin A. 5624 Anthony Avenue Baltimore, MD 21206-	M	AA	CITY	45	06/04/2007	06/05/2011	06/04/2007
3.00	Majority Party	Logan, Barbara G. 3317 Liberty Heights Avenue, Unit 202 Baltimore, MD 21215-	F	AA	CITY	41	06/04/2007	06/05/2011	06/04/2007
4.00	Minority Party	Wang, Eleanor K. 5405 Falls Road Terrace Baltimore, MD 21210-	F	A	CITY	41	06/04/2007	06/05/2011	08/22/2007
5.00	Minority Party	Powell, Frankie Lee 5123 Queensberry Avenue Baltimore, MD 21215-	M	AA	CITY	41	06/04/2007	06/05/2011	11/05/2007
HE-0348		Baltimore City Community College, Board Of Trustees Of							
9.00	Student	Chambers, Tabitha 5447 Park Heights Avenue Baltimore, MD 21215-	F	AA	CITY	41	06/01/2007	05/31/2008	06/13/2007
CO-1504		Baltimore County Board Of Elections							
1.00	Majority Party	Henley, Karen L. 7422 Greenbank Road Baltimore, MD 21220-	F	W	BLCO	7	06/04/2007	06/05/2011	06/04/2007
2.00	Majority Party	Plymouth, Aaron 8546 Stevenswood Road Baltimore, MD 21244-	M	AA	BLCO	10	06/04/2007	06/05/2011	06/04/2007

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Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
3.00	Majority Party	Harris, Bruce N. 7015 Plymouth Road Baltimore, MD 21208-	M	W	BLCO	11	06/04/2007	06/05/2011	06/04/2007
HE-0223		Baltimore County, Community College Trustees for							
1.00	At Large	Gehring, Ed.D., H. Scott 14 Thurkill Court Cockeysville, MD 21030-	M	W	BLCO	07	07/01/2007	06/30/2011	07/20/2007
9.00	4th Councilmanic	Hayman, Ed.D., Warren C. 3603 1/2 Patterson Avenue Baltimore, MD 21207	M	AA	BLCO	10	07/01/2005	06/30/2010	07/01/2007
LL-0103		Boiler Rules, Board Of							
7.00	Stationary Engineer	Pickett, Thomas E. 8812 Gladeside Drive Clinton, MD 20735-	M	AA	PGEO	27	01/01/2005	12/31/2008	07/23/2007
CO-1505		Calvert County Board Of Elections							
1.00	Majority Party	Prince, Warren E. 2630 Aspen Road Port Republic, MD 20676-	M	W	CLVT	27	06/04/2007	06/05/2011	06/04/2007
2.00	Majority Party	Toohy, John P. P.O. Box 592 Solomons, MD 20688-	M	W	CLVT	29	06/04/2007	06/05/2011	06/04/2007
4.00	Minority Party	Fowler, Alice Betty Jones 1105 Doris Drive Owings, MD 20736-	F	W	CLVT	27	06/04/2007	06/05/2011	06/04/2007
5.00	Minority Party	Williams, Donato Dan Michael 2045 Jessica Lane Prince Frederick, MD 20678	M	W	CLVT	29	06/04/2007	06/05/2011	11/06/2007

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CO-1507 Carroll County Board Of Elections									
1.00	Majority Party	Foreman, Charles Walter 1416 Littlestown Pike Westminster, MD 21158-3012	M	W	CRRL	05	06/04/2007	06/05/2011	06/04/2007
3.00	Majority Party	Riley, Gail S. 2243 Bachmans Valley Road Manchester, MD 21102	F	W	CRRL	05	06/04/2007	06/05/2011	06/04/2007
HE-0105 Cecil Community College Board Of Trustees									
1.00		Davis, Jr., Esquire, William W. 264 Mike Drive Elkton, MD 21921-	M	AA	CECL	36	07/01/2006	06/30/2012	12/06/2007
5.00		Horgan, Donna L. 135 Riverside Drive Elkton, MD 21921-5019	F	W	CECL	36	07/01/2007	06/30/2013	12/06/2007
CO-1509 Charles County Board Of Elections									
1.00	Majority Party	Brown, Fern G. 4690 Pickeral Street P. O. Box 293 White Plains, MD 20695	F	AA	CHAS	28	06/04/2007	06/05/2011	06/04/2007
2.00	Majority Party	Hampton, Gloria D. 11810 General Hampton's Place Nanjemoy, MD 20662-	F	W	CHAS	28	06/04/2007	06/05/2011	06/04/2007
3.00	Majority Party	Saunders, Sr., Norman J. 11955 Woodbury Road Nanjemoy, MD 20662-	M	W	CHAS	28	06/04/2007	06/05/2011	06/04/2007

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Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
NR-0305 Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the									
2.00	City	Feinberg, Laurie R. 3411 University Place Baltimore, MD 21218-	F	W	CITY	43	07/01/2007	06/30/2011	12/19/2007
8.00	Crln	Cawley, Charles C. 24320 Willow Pond Road Denton, MD 21629-	M	W	CRLN	37	07/01/2006	06/30/2010	10/25/2007
10.0	Clvt/Chas/Stma	Russell, Francis Jack, Honorable Box 134 16127 Piney Point Road Piney Point, MD 20674	M	W	STMA	29	07/01/2007	06/30/2011	12/19/2007
18.0	Smst/Wico	Anderson, Howard Kevin 12591 Big Monie Road Princess Anne, MD 21853-	M	W	SMST	38	07/01/2007	06/30/2011	07/17/2007
19.0	Clvt/Chas/Stma	Powers, Norma J. 164 Rolling Hills Road Dowell, MD 20629-	F	W	CLVT	29	07/01/2007	06/30/2011	12/19/2007
HH-0070 Chiropractic Examiners, State Board Of									
3.00	Chiropractor	Chaney, D.C., Stephanie J. 477 Penwood Drive Edgewater, MD 21037-	F	W	ANAR	30	07/01/2007	06/30/2011	07/01/2007
PS-0144 Correction, Commissioner Of									
1.00	Commissioner Of Correction	Stouffer, J. Michael 13733 Franks Run Road Smithsburg, MD 21783-	M	W	WASH	02	10/10/2007		10/10/2007

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Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
PS-0116 Correctional Standards, Commission On									
3.00	State Correctional	Stouffer, J. Michael 13733 Franks Run Road Smithsburg, MD 21783-	M	W	WASH	02	07/01/2005	06/30/2008	12/19/2007
4.00	State Correctional	Ray, Jr., Howard 308 Lord Byron Lane Apt T3 Cockeysville, MD 21030-	M	AA	BLCO	42	07/01/2005	06/30/2008	10/15/2007
7.00	Nat'l Accred Org	Washington, Jeffrey 10503 Vista Grande Drive Mitchellville, MD 20721-	M	AA	PGEO	24	07/01/2006	06/30/2009	10/15/2007
8.00	Local Elected Official	Sample-Hughes, Sheree L. 28926 Jacqueline Drive Salisbury, MD 21801-	F	AA	WICO	37	07/01/2006	06/30/2009	08/20/2007
9.00	Mental Health/Med Professional	Elmo, M.D., Maria T. 5605 Greenspring Avenue Baltimore, MD 21209-	F	A	CITY	41	07/01/2007	06/30/2010	10/15/2007
PS-0207 Correctional Training Commission									
4.00	Correctional Official	Dixon, John R. 2809 Boston Street, #364 Baltimore, MD 21224-	M	W	CITY	46	07/01/2005	06/30/2008	12/19/2007
PS-0022 Criminal Injuries Compensation Board									
4.00	Dem	Milligan, Jr., Karl N. 302 Ackerman Road Stevensville, MD 21666-	M	W	QANN	36	07/01/2004	06/30/2009	07/09/2007

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EX-541 Deaf and Hard of Hearing, Office of and Maryland Advisory Council for the									
5.00	Human Relations Comm	Watts, Bobette T. 3429 Wabash Avenue Baltimore, MD 21215-	F	AA	CITY	40	10/01/2006	09/30/2009	06/11/2007
13.0		Brett, Thomas 12204 Holm Oak Drive Waldorf, MD 20601-	M	W	CHAS	28	10/01/2006	09/30/2009	07/20/2007
CT-2305 District Court Of MD - District 05 - Prince George's									
11.0	District Five	Love, Thomas J., Honorable 8711 63rd Avenue Berwyn Heights, MD 20740	M	W	PGEO	22	05/05/2007	05/04/2017	05/05/2007
CT-2307 District Court Of MD - District 07 - Anne Arundel									
3.00	District Seven	Johnson, Megan Beth, Honorable 173 Waldo Road Pasadena, MD 21122	F	W	ANAR	31	11/26/2007	11/25/2017	11/26/2007
CT-2310 District Court Of MD - District 10 - Carroll, Howard									
4.00	District Ten	Clark, Alice Gail Pollard, Honorable 4956 Moonfall Way Columbia, MD 21044	F	AA	HWRD	12	05/22/2007	05/21/2017	05/22/2007
CO-1510 Dorchester County Board Of Elections									
3.00	Majority Party	Webster, Jeanne H. 2 Shady Drive Cambridge, MD 21613-	F	W	DORC	37	06/04/2007	06/04/2011	06/04/2007
4.00	Minority Party	Ruark, Peggy E. 5828 Hudson Wharf Road Cambridge, MD 21613-	F	W	DORC	37	06/04/2007	06/04/2011	06/04/2007
5.00	Minority Party	Mills, Deanna L. 5304 Thomas Way/P.O. Box 102 Linkwood, MD 21835-	F	W	DORC	37	06/04/2007	06/04/2011	06/04/2007

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BE-0453		Economic Development Commission, Maryland							
12.0		Hodge, Jr., Timothy A 6423 Pratt Avenue Baltimore, MD 21212-	M	W	BLCO	42	07/01/2007	06/30/2010	09/05/2007
18.0		Mardirossian, Aris 11940 River Road Potomac, MD 20854-	M	W	MONT	15	07/01/2007	06/30/2010	09/05/2007
BE-0281		Economic Development Corporation (MEDCO) Board Of Directors, Maryland							
3.00	Local Govt	Terrasa, Jennifer R., Honorable 7491 Setting Sun Way Columbia, MD 21046-	F	W	HWRD	13	07/01/2006	06/30/2010	11/06/2007
4.00	Local Govt	Buehl, Barbara G. 20020 Potomac Overlook Oldtown, MD 21555-	F	W	ALLG	01	07/01/2004	06/30/2008	10/12/2007
5.00	Commercial	Stebbins, Esquire, Dana Brewington 11818 Bishops Content Mitchellville, MD 20721-	F	AA	PGEO	23	07/01/2007	06/30/2011	07/18/2007
7.00	Commercial	Michael, David H. 1922 Chaparrall Court Crownsville, MD 21032-	M	W	ANAR	33	07/01/2006	06/30/2010	08/07/2007
9.00	Commercial	Knott, Jr., Martin G. 6309 Pinehurst Road Baltimore, MD 21212-	M	W	BLCO	42	07/01/2007	06/30/2011	07/18/2007
10.0	Industrial	Sachs, Leonard R. 3522 Englemeade Road Baltimore, MD 21208-	M	W	BLCO	11	07/01/2006	06/30/2008	08/07/2007

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11.0	General Public	Lawlah-Walker, Gloria 7401 Alaska Avenue Washington, DC 20012	F	AA	NONR	00	07/01/2006	06/30/2010	08/07/2007
LL-0296		Electricians, State Board Of Master							
2.00	Electrician	Mancini, Frank M. 24296 E. Cherry Lane Goldsboro, MD 21636-	M	W	CRLN	37	07/01/2006	06/30/2009	11/13/2007
3.00	Electrician	Berg, Michael W. 10224 Davis Avenue Woodstock, MD 21163-	M	W	BLCO	11	07/01/2007	06/30/2010	11/13/2007
6.00	Electrician	Oles, Michael T. 3839 Dakota Road Hampstead, MD 21074-	M	W	CRRL	05	07/01/2007	06/30/2010	11/13/2007
7.00	Consumer	Jones, William O. 3800 Viser Court Bowie, MD 20715-	M	AA	PGEO	23	07/01/2005	06/30/2008	11/13/2007
LL-607		Engineers, State Board of Stationary							
6.00	Consumer	Johnson, Lorretta 3207 Greenmead Road Baltimore, MD 21244	F	AA	BLCO	10	09/26/2007	06/30/2008	09/26/2007
7.00	Consumer	Norris, Harold E. 21 Stuart Mills Place Baltimore, MD 21228-	M	AA	BLCO	10	09/26/2007	06/30/2008	09/26/2007
EN-0183		Environmental Sanitarian Registration, State Board Of							
5.00	Sanitarian/Local Govt	Smyser, Charles E. 2051 Colora Road Colora, MD 21917-	M	W	CECL	34	07/01/2007	06/30/2012	07/01/2007

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LL-0424		Financial Regulation, Commissioner Of							
1.00	Commissioner	Raskin, Sarah Bloom 7209 Holly Avenue Takoma Park, MD 20912-	F	W	MONT	20	08/28/2007		08/28/2007
HE-0277		Fire-Rescue Education And Training Commission							
1.00	Volunteer	Stevens, Daniel J. 6461 Hawkinsgate Road La Plata, MD 20646-	M	W	CHAS	28	07/01/2005	06/30/2009	12/28/2007
2.00	Volunteer	Gilroy, Lynn D. 510 Linden Lane La Plata, MD 20646	M	W	CHAS	28	07/01/2006	06/30/2010	12/28/2007
3.00	Volunteer	Cumberland, Jr., Robert P. 222 Shipley Avenue Westminster, MD 21157	M	W	CRRL	05	07/01/2007	06/30/2011	12/28/2007
8.00	Career Acad Instruct	Stokes, David L., Chief 5794 Brooks Woods Road Lothian, MD 20711-	M	W	ANAR	33	07/01/2005	06/30/2009	12/28/2007
9.00	Career Acad Instruct	Clemens, R. Michael 8104 Pete Wiles Road Middletown, MD 21769-	M	W	FRED	04	07/01/2006	06/30/2010	12/28/2007
10.0	Career	Butler, John S. 8830 Papillon Drive Ellicott City, MD 21043-	M	AA	HWRD	09	07/01/2007	06/30/2011	12/28/2007
11.0	Career	Holloway, John C. 107 Davis Court Berlin, MD 21811-	M	W	WORC	38	07/01/2007	06/30/2011	12/28/2007
12.0	Career	DeHaven, Gregory James 24313 Log House Road Gaithersburg, MD 20882-	M	W	MONT	14	07/01/2005	06/30/2009	12/28/2007

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NR-0111	Fisheries Commission, Atlantic States Marine								
1.00	Governor's Appointee	Goldsborough, William J. 1355 Moyer Road Annapolis, MD 21403-	M	W	ANAR	30	06/01/2007	05/31/2010	11/06/2007
IA-0030	Food Center Authority, Maryland								
2.00		Guerrero, John C. 233 South Exeter Street Baltimore, MD 21202-	M	W	CITY	46	07/01/2004	06/30/2009	05/23/2007
6.00		Isen, Michael T. 5020 Euclid Drive Kensington, MD 20895-	M	W	MONT	16	07/01/2006	06/30/2011	08/08/2007
HE-0265	Frederick Community College Board Of Trustees								
1.00		Michael, Peter Cooling Springs Farm On the Underground Railroad 2455 Ballenger Creek Pike Adamstown, MD 21710-	M	AA	FRED	03	07/01/2007	06/30/2012	07/01/2007
6.00		White, Doris J. 6004 Lundgren Drive Frederick, MD 21701	F	W	FRED	04	07/01/2005	06/30/2009	09/11/2007
CO-1408	Frederick County Alcoholic Beverages Inspector								
1.00		DeLauter, Harold C. 1418 Teal Lane Frederick, MD 21703-	M	W	FRED	04	07/01/2007	06/30/2012	07/13/2007
HE-0268	Garrett College Board Of Trustees								
4.00		Schroyer, (Ret.), Dale Wade, Brigadier General 3955 Friendsville-Addison Road Friendsville, MD 21531-2028	M	W	GRRT	01	07/01/2007	06/30/2013	09/26/2007

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5.00		Sherbin, Esquire, Linda S. 360 Milt DeWitt Road Friendsville, MD 21531	F	W	GRRT	01	07/01/2006	06/30/2012	09/26/2007
6.00		Seib, Ruth M. 305 Whistlepig Way Oakland, MD 21550-	F	W	GRRT	01	07/01/2006	06/30/2012	09/26/2007
CO-1512		Garrett County Board Of Elections							
1.00	Majority Party	Nolan, Charles P. 18 Hillcrest Drive Deer Park, MD 21550-	M	W	GRRT	01	06/04/2007	06/05/2011	06/04/2007
3.00	Majority Party	Glotfelty, Randall R. 187 Englewood Lane Grantsville, MD 21536-	M	W	GRRT	01	06/04/2007	06/05/2011	06/04/2007
PS-0040		Handgun Permit Review Board							
1.00		Thomas, Jr., Charles M. 4505 Kenilworth Avenue Baltimore, MD 21212-	M	AA	CITY	43	03/27/2007	03/26/2010	07/23/2007
SP-0360		Handgun Roster Board							
5.00	MAHA	Lucchi, Esquire, Leonard L. 12608 Safety Turn Bowie, MD 20715	M	W	PGEO	23	12/08/2004	12/07/2008	06/21/2007
8.00	Citizen	Uchida, Ph.D., Craig D. 15134 Deer Valley Terrace Silver Spring, MD 20906-	M	A	MONT	19	12/08/2004	12/07/2008	05/30/2007
CO-1513		Harford County Board Of Elections							
4.00	Minority Party	Yoder, Edward D. 3520 Grier Nursey Road Street, MD 21154	M	W	HRFD	35	06/04/2007	06/05/2011	06/04/2007

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5.00	Minority Party	Keene, David A. 1111 Glastonbury Way Bel Air, MD 21014-	M	W	HRFD	35	06/04/2007	06/05/2011	06/04/2007
EN-0061 Hart-Miller Pleasure Island Citizens Oversight Committee									
1.00	Grantee in Interest	Habicht, Jr., Frederick H. 2517 Barrison Point Road Essex, MD 21221	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007
2.00	Grantee In Interest	Cullison, Robert W. 7312 Knollwood Road Towson, MD 21204	M	W	BLCO	42	07/01/2007	06/30/2009	12/28/2007
3.00	North Point Pen CC	Taylor, Francis H. 7603 Iroquois Avenue Baltimore, MD 21219-	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007
4.00	Essex Middle River CC	Lee, Samuel L. 11313 Beach Road White Marsh, MD 21162	M	W	BLCO	07	07/01/2007	06/30/2009	12/28/2007
5.00	6th Leg District Citizen	Ward, Sr., Robert P. 8916 Chesapeake Avenue Baltimore, MD 21219	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007
6.00	7th Leg District Citizen	Brylske, Paul Douglas 822 Frog Mortar Road Baltimore, MD 21220	M	W	BLCO	07	07/01/2007	06/30/2009	12/28/2007
7.00	Blco Waterman's Assn	Wujek, Jr., Harry 9005 Chesapeake Avenue Baltimore, MD 21219-	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007
8.00	Pleasure Boating	Doyle, Craig E. 7827 North Cove Road Baltimore, MD 21219-	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007

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9.00	Sport Fishing/Crabbing	Hetterick, George 8905 Carlisle Avenue Baltimore, MD 21236-	M	W	BLCO	08	07/01/2007	06/30/2009	12/28/2007
10.0	Greater Dundalk CC	Kroen, Thomas G. 1948 Searles Road Baltimore, MD 21222	M	W	BLCO	06	07/01/2007	06/30/2009	12/28/2007
HH-0495 Health Care Commission, Maryland									
1.00	No Industry Connection	McLean, Barbara Gill 3930 St. Pauls Road Manchester, MD 21102-	F	W	BLCO	05	10/01/2006	09/30/2010	10/18/2007
2.00	No Industry Connection	Moon, Marilyn L. 6817 Wilson Lane Bethesda, MD 20817-	F	W	MONT	16	10/01/2006	09/30/2010	10/18/2007
3.00	No Industry Connection	Olsen, Esquire, Kurt B. 13317 Drews Lane Potomac, MD 20854-	M	W	MONT	15	10/01/2007	09/30/2011	10/18/2007
4.00	No Industry Connection	Ontaneda-Bernales, Esquire, Sylvia 3140 Woodring Avenue Baltimore, MD 21234-	F	H	CITY	45	10/01/2007	09/30/2011	10/18/2007
5.00	No Industry Connection	Jefferson, Esquire, Tekedra McGee 4205 Plummers Promise Drive Glenn Dale, MD 20720-	F	AA	PGEO	23	10/01/2007	09/30/2011	10/18/2007
7.00	No Industry Connection	Petty, Sr., Darren W. 3704 Old Federal Hill Road Jarrettsville, MD 21084-	M	W	HRFD	35	10/01/2006	09/30/2010	10/18/2007
HH-601 Health Resources Commission, Maryland Community									
1.00	Nonprofit HMO	Hunter, Kendall D. 8220 Coach Street Potomac, MD 20854-	M	W	MONT	16	05/07/2007	05/03/2009	06/25/2007

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2.00	Nonprofit HSP	Kaplan, Leon 13033 Jerome Jay Drive Cockeysville, MD 21030-	M	W	BLCO	05	05/07/2007	05/03/2009	06/25/2007
3.00	MD Hospital	Wilson, Ph.D., Douglas H. 28131 Pathfinder Court Salisbury, MD 21801-	M	W	WICO	37	05/07/2007	05/03/2009	06/25/2007
4.00	Expertise	Benjamin, Yvette J. 108 Pembroke View Lane Gaithersburg, MD 20877-	F	AA	MONT	39	05/07/2007	05/03/2009	06/25/2007
5.00	Expertise	Goldman, Ph.D., Stanley A. 21 Inverin Circle Timonium, MD 21093-	M	W	BLCO	42	05/07/2007	05/03/2009	06/25/2007
6.00	Expertise	Hurson, Esquire, John Adams 3221 Farmington Drive Chevy Chase, MD 20815-	M	W	MONT	18	05/07/2007	05/03/2009	06/25/2007
7.00	Expertise	Young, M.D., John L. 10410 Willowbrook Drive Potomac, MD 20854-	M	A	MONT	15	05/07/2007	05/03/2009	06/25/2007
8.00	Outpatient Mental Health	Boyer-Patrick, M.D., Judith Lea 9493 Good Lion Road Columbia, MD 21045	F	AA	HWRD	13	05/07/2007	05/03/2009	06/25/2007
9.00	Community Health Res	McClellan, Paula Brooks 4533 Doncaster Drive Ellicott City, MD 21043-	F	AA	HWRD	13	05/07/2007	05/03/2009	06/25/2007
10.0	Community Health Res	Murray, Margaret A. 739 Governor Bridge Road Davidsonville, MD 21035-	F	W	ANAR	33	05/07/2007	05/03/2009	06/25/2007

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11.0	Community Health Res	Roskos, Karla Ruhe 8608 Wandering Fox Trail #201 Odenton, MD 21113-	F	W	ANAR	21	05/07/2007	05/03/2009	06/25/2007
HH-0185 Health and Mental Hygiene, Board Of Review of the Department of									
5.00	Knwldg & Exp	Welch, Yolanda Maria 10370 Pot Spring Road Lutherville, MD 21093-	F	H	BLCO	42	07/01/2006	06/30/2009	09/28/2007
LL-0107 Heating, Ventilation, Air-Conditioning And Refrigeration Contractors, State Board of									
4.00	Mstr Electrician	Johnson, James A. 7861 Stevens Road Eden, MD 21822-	M	W	WORC	38	01/01/2005	12/31/2008	09/25/2007
5.00	Mstr Plumber	Heidler, Steven D. 900 Ridgewood Road Annapolis, MD 21401-	M	W	ANAR	30	01/01/2007	12/31/2010	09/25/2007
HC-0428 Heritage Areas Authority, Maryland									
3.00	President's Nominee	Clark, Wayne E. 3649 5th Street North Beach, MD 20714-	M	W	CLVT	27	10/01/2004	09/30/2008	10/15/2007
6.00	Speaker's Nominee	Fligsten, Esquire, Ann M. 1337 Kinloch Circle Arnold, MD 21012-	F	W	ANAR	30	10/01/2006	09/30/2010	10/03/2007
8.00	Md Tourism Dev Board	Dodson, Deborah L. 5513 Cedar Grove Road East New Market, MD 21631-	F	W	DORC	37	10/01/2006	09/30/2010	12/27/2007
HE-0151 Higher Education Commission, Maryland and Secretary of Higher Education									
3.00		Pak, Chung K. 226 Grange Hall Drive Gaithersburg, MD 20877-	M	A	MONT	17	07/01/2003	06/30/2008	05/22/2007

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5.00		Hasan, Anwer 6548 Ballymore Lane Clarksville, MD 21029-	M	A	HWRD	13	07/01/2005	06/30/2010	05/22/2007
10.0		Josey, Esquire, Leronia A. 3700 Lochearn Drive Baltimore, MD 21207	F	AA	BLCO	10	07/01/2007	06/30/2012	10/02/2007
11.0		Murphy, Nhora B. 3212 Flushing Meadow Terr Chevy Chase, MD 20815-	F	H	MONT	18	07/01/2007	06/30/2012	07/01/2007
12.0	Student	Michael, Joshua L. 9667 Timberknoll Lane Ellicott City, MD 21042-	M	W	HWRD	09	07/01/2007	06/30/2008	07/01/2007
HC-0318	Historical Trust Board Of Trustees And Director, Maryland								
9.00		Edson, Esquire, Charles L. 5802 Surrey Street Chevy Chase, MD 20815	M	W	MONT	16	07/01/2007	06/30/2011	11/06/2007
HE-0222	Howard Community College Board Of Trustees								
2.00		Rensin, Katherine K. 3405 Shady Lane Glenwood, MD 21738-	F	W	HWRD	09	07/01/2007	06/30/2013	07/12/2007
7.00		Doyle, Kevin J. 6217 Graftons View Court Elkridge, MD 21075-	M	W	HWRD	12	07/01/2007	06/30/2013	08/13/2007
CO-1514	Howard County Board Of Elections								
2.00	Majority Party	Rankin, Raymond M. 8333 Painted Rock Road Columbia, MD 21045-	M	W	HWRD	13	06/04/2007	06/05/2011	10/17/2007
4.00	Minority Party	Thewes, Donna Kay 9535 Cissell Ave Laurel, MD 20723-	F	W	HWRD	13	06/04/2007	06/05/2011	06/04/2007

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5.00	Minority Party	Coles, Jr., Charles M. 1596 Daisy Road Woodbine, MD 21797-	M	W	HWRD	9	06/04/2007	06/05/2011	06/04/2007
IA-0115	Human Relations, Commission On								
1.00		Owen, Thomas E. 459 Grasmere Lane Aberdeen, MD 21001	M	W	HRFD	34	07/01/2007	06/30/2013	10/15/2007
4.00		Wright, Esquire, Shawn M. 302 Tamarack Court Upper Marlboro, MD 20774-	F	AA	PGEO	25	07/01/2007	06/30/2013	10/15/2007
BE-611	Industrial Development Financing Authority, Maryland								
2.00		Waesche, Jr., Roger A. 11742 Mayfair Field Drive Timonium, MD 21093-	M	W	BLCO	11	07/01/2007	06/30/2012	07/01/2007
6.00		Morgan, Deborah A. 3455 Constellation Drive Davidsonville, MD 21035	F	W	ANAR	33	07/01/2007	06/30/2012	07/01/2007
ED-0358	Infants And Toddlers, Interagency Coordinating Council For								
1.00	Provider	Boykin, Paula D. 218 Beech View Court Towson, MD 21286-	F	W	BLCO	42	07/01/2007	06/30/2010	07/01/2007
3.00	Provider	Ramsey, Linda R. 207 E. Northern Parkway Baltimore, MD 21212-	F	AA	CITY	43	07/01/2007	06/30/2010	07/01/2007
6.00	Provider	Ogden, Michele 1901 West St. # 316 Annapolis, MD 21401-	F	W	ANAR	30	07/01/2007	06/30/2010	07/01/2007

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10.0	State Agency	Finn, Karen M. 13600 Sherwood Forest Drive Silver Spring, MD 20904-	F	W	MONT	14	07/01/2007	06/30/2010	07/01/2007
18.0	Parent	Njoku, Donna J. 12624 Trotwood Court Beltsville, MD 20705-	F	AA	PGEO	23	07/01/2007	06/30/2010	07/01/2007
20.0	Parent	Chernack, Alisa Kobrinetz 8570 Eastern Morning Run Laurel, MD 20723-	F	W	HWRD	13	07/01/2007	06/30/2010	07/01/2007
21.0	Parent	Garcia-Nova, Miriam G. 10800 Hill Top Drive Ft. Washington, MD 20744-	F	H	PGEO	26	07/01/2007	06/30/2010	07/01/2007
26.0	Parent	Blackburn, Amy 2227 Hunters Chase Bel Air, MD 21015-	F	W	HRFD	35	07/01/2007	06/30/2010	07/01/2007
28.0	DHR Foster Care	Taylor, Jill A. 28 Murdook Road Baltimore, MD 21212-	F	W	BLCO	42	07/01/2007	06/30/2010	07/01/2007
IA-0025		Insurance Commissioner And Deputy Insurance Commissioner, Maryland							
1.00	Insurance Commissioner	Tyler, Esquire, Ralph S. 205 Gittings Avenue Baltimore, MD 21212	M	W	CITY	43	06/01/2007	05/31/2011	09/06/2007
LL-0238		Interior Designers, State Board Of Certified							
3.00	Interior Designer	Gordy, Diane D. 5600 Wisconsin Avenue Apt 1509 Chevy Chase, MD 20815-	F	W	MONT	16	07/01/2007	06/30/2010	07/01/2007

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4.00	Interior Designer	Bennett, Teri Lura 2837 Chesterfield Avenue Baltimore, MD 21213-	F	W	CITY	45	07/01/2007	06/30/2010	07/01/2007
IA-0081		Judicial Disabilities, Commission on							
5.00	Attorney	Shelton, Esquire, Paul D. 3005 Boone's Lane Ellicott City, MD 21042	M	AA	HWRD	09	01/01/2007	02/11/2009	11/15/2007
IA-0113		Legal Services Corporation Board Of Directors, Maryland							
2.00	Attorney	Jones, Jr., Esquire, Nathaniel E. 4203 North Charles Street Baltimore, MD 21218-	M	AA	CITY	43	07/01/2005	06/30/2008	06/13/2007
4.00	Attorney	Sachitano, Esquire, Nancy A. 772 Oldchester Road Bethesda, MD 20817-	F	W	MONT	16	07/01/2007	06/30/2010	11/14/2007
8.00	Nonlawyer	Douglas S. Snyder, Ph.D. 12113 Round Tree Lane Bowie, MD 20715	M	W	PGEO	23	07/01/2007	06/30/2010	12/27/2007
HH-640		Men's Health, Maryland Commission for							
1.00	Interested Org	Marcell, M.D., Arik V. 2946 Wyman Parkway Baltimore, MD 21211-	M	W	CITY	40	10/01/2006	09/30/2010	07/02/2007
2.00	Interested Org	Safeer, M.D., Richard S. 79 Beecham Court Owings Mills, MD 21117-	M	W	BLCO	11	10/01/2006	09/30/2010	07/02/2007
3.00		Azinge, MD, Nicholas N., Dr. 12406 Spring Ridge Court Laurel, MD 20708-	M	AA	PGEO	23	10/01/2006	09/30/2010	07/02/2007

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4.00		Rao, M.D., Sankineri J. 5629 Sugarbush Lane Rockville, MD 20852-	M	A	MONT	16	10/01/2006	09/30/2010	07/02/2007
CO-1516		Montgomery County Board Of Elections							
3.00	Majority Party	Sullivan, Esquire, John J. 5405 Greystone Street Chevy Chase, MD 20815-	M	W	MONT	16	10/01/2007	06/05/2011	10/10/2007
4.00	Majority Party	Garson, Jerrold S. 8308 Raymond Lane Potomac, MD 20854-	M	W	MONT	15	10/01/2007	06/05/2011	10/10/2007
6.00	Minority Party	Khozeimeh, Sc.D., Nahid 7005 Millwood Road Bethesda, MD 20817-	F	W	MONT	16	10/01/2007	06/05/2011	10/10/2007
HE-0193		Morgan State University Board Of Regents							
15.0	Student	McMillan, Sally C. 1511 Near Thicket Lane Stevenson, MD 21153-	F	AA	BLO	42	07/01/2007	06/30/2008	07/01/2007
HH-0045		Morticians and Funeral Directors, State Board Of							
1.00	Mortician	Jones, Jr., Marshall W. 1727 North Broadway Baltimore, MD 21213-	M	AA	CITY	45	07/01/2006	06/30/2010	11/26/2007
3.00	Mortician	Kruger, Michael D. 15 Durkee Farm Road Reisterstown, MD 21136-	M	W	BLO	11	07/01/2007	06/30/2011	11/26/2007
5.00	Mortician	Close, II, Hari P. Hari P. Close Funeral Service P. O. Box 601 Baltimore, MD 21203-	M	AA	CITY	44	07/01/2007	06/30/2011	01/02/2008

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7.00	Mortician	Borgwardt, Donald V. 11511 Montgomery Beltsville, MD 20705-	M	W	PGEO	21	07/01/2006	06/30/2010	01/02/2008
8.00	Mortician	Sewell, Gladys Arnel 205 Tobacco Ridge Road Prince Frederick, MD 20678-	F	AA	CLVT	27	07/01/2007	06/30/2011	11/26/2007
10.0	Consumer	Strayhorn, Sr., Vernon L. 110 Bunker Hill Lane Odenton, MD 21113-	M	AA	ANAR	33	07/01/2006	06/30/2010	11/26/2007
12.0	Consumer	Cebula-Seaboch, Lauri A. 5915 Benton Heights Avenue Baltimore, MD 21206-	F	W	CITY	45	07/01/2007	06/30/2011	11/26/2007
IA-0367	Open Meetings Law Compliance Board, State								
2.00		Nilson, Esquire, Elizabeth Logan 226 Northway Baltimore, MD 21218-	F	W	CITY	43	07/01/2006	06/30/2009	11/14/2007
PS-0037	Patuxent Institution Board Of Review								
2.00	Public	Kalinowski, Margaret Ruth 2042 Horseshoe Circle Jessup, MD 20794-9734	F	W	ANAR	32	03/21/2007	03/20/2011	12/27/2007
5.00	Public	Simpson, John R. 245 Devon Drive Chestertown, MD 21620-	M	W	KENT	36	03/21/2007	03/20/2011	12/27/2007
HH-0021	Physical Therapy Examiners, State Board Of								
7.00	Consumer	Gupta, Ved K. 8625 Valley Field Road Lutherville, MD 21093-	M	A	BLCO	11	06/01/2007	05/31/2011	11/09/2007

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HH-565		Physicians, State Board of							
1.00	Physician	Bhutta, M.D., Habib A. 3008 Brownstone Court Burtonsville, MD 20866-	M	A	MONT	14	07/01/2007	06/30/2011	01/02/2008
4.00	Physician	Verna, MD, Rosaire 9062 Bozman Road St. Michaels, MD 21663-	F	W	TLBT	37	07/01/2003	06/30/2008	01/02/2008
5.00	Physician	O'Herlihy, M.D., Hilary T. 5 St. Andrews Crossover Severna Park, MD 21146	M	W	ANAR	33	07/01/2006	06/30/2010	01/02/2008
7.00	Physician	Hennessy, M.D., Robert G. 738 Chapel Ridge Road Lutherville, MD 21093-	M	W	BLCO	11	07/01/2007	06/30/2011	01/02/2008
11.0	Physician	Henderson, M.D., Laura E. 1303 Lindsay Lane Hagerstown, MD 21742-	F	AA	WASH	02	07/01/2007	06/30/2011	01/02/2008
15.0	Medical School	Williams, M.D., G. Melville 826 Mill Creek Road Arnold, MD 21012-	M	W	ANAR	30	07/01/2007	06/30/2011	01/02/2008
17.0	Consumer	Beasley, Evelyn T. 4315 Groveland Avenue Baltimore, MD 21215-4818	F	AA	CITY	41	07/01/2007	06/30/2011	01/02/2008
21.0	Consumer	Bittner, Esquire, Richard C. 1627 Concordia Drive Pasadena, MD 21122	M	W	ANAR	31	07/01/2006	06/30/2010	01/02/2008
LL-0033		Plumbing, State Board Of							
3.00	Plumber	Radtka, Joseph A. 3 Severndale Road Severna Park, MD 21146-	M	W	ANAR	33	05/01/2007	04/30/2010	11/29/2007

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7.00	Plumber	Wiebking, Russell A. 18101 Maplewood Drive Ellicott City, MD 21043-	M	W	HWRD	09	05/01/2007	04/30/2010	11/29/2007
PS-0167	Police Training Commission								
3.00	Police Official	DiPino, Bernadette M., Chief 712 North Surf Road Ocean City, MD 21842-	F	W	WORC	38	06/01/2007	05/31/2010	06/13/2007
TD-0125	Port Commission, Maryland and Port Administration Executive Director								
3.00		Dockser, Esquire, William B. 8906 Clewerwall Drive Bethesda, MD 20817-	M	W	MONT	15	07/01/2006	06/30/2009	06/22/2007
4.00		White, Jr., Esquire, Charles H 1200 Britania Lane Annapolis, MD 21403-	M	W	ANAR	30	07/01/2006	06/30/2009	05/17/2007
5.00		Venetoulis, Theodore G. 24 Woodward Lane Lutherville, MD 21093-	M	W	BLCO	11	07/01/2007	06/30/2010	09/18/2007
6.00		Nichols, Alvin J. 8105 Felbrigg Hall Road Glenn Dale, MD 20769-	M	AA	PGEO	22	07/01/2005	06/30/2008	05/17/2007
7.00		Fry, Honorable, Donald C. 1716 Edwin Drive Bel Air, MD 21015	M	W	HRFD	35	07/01/2007	06/30/2010	08/14/2007
NR-0292	Potomac River Fisheries Commission								
4.00	Maryland Representative	Fleming, Dennis C. 40344 Morgan Brothers Road Mechanicsville, MD 20659-	M	W	STMA	29	01/01/2007	12/31/2011	06/13/2007

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LL-0071		Prevailing Wage Rates, Advisory Council On							
3.00	Labor	Correll, James L. 10 Timber Run Court Reisterstown, MD 21136	M	W	BLCO	11	07/01/2007	06/30/2010	10/25/2007
4.00	Labor	Satterfield, Jr., Cecil H. 8802 Patricia Court College Park, MD 20740	M	W	PGEO	21	07/01/2006	06/30/2009	10/25/2007
6.00	Public	McPherson, Michael Claude A. 11090 Swansfield Road Columbia, MD 21044	M	AA	HWRD	12	07/01/2005	06/30/2008	10/25/2007
CO-1518		Queen Anne's County Board Of Elections							
1.00	Majority Party	Seth, William A. 99 Glendale Avenue Centreville, MD 21617	M	W	QANN	36	06/04/2007	06/05/2011	06/04/2007
2.00	Majority Party	Gould, Sr., George Jay 5515 Main Street Grasonville, MD 21638	M	AA	QANN	36	06/04/2007	06/05/2011	06/04/2007
3.00	Majority Party	Rankin, Jr., William J. 306 Cove Road Queenstown, MD 21658	M	W	QANN	36	06/04/2007	06/05/2011	06/04/2007
4.00	Minority Party	Rankin, Jr., William J. 306 Cove Road Queenstown, MD 21658	M	W	QANN	36	06/04/2007	06/05/2011	06/04/2007
5.00	Minority Party	Sparks, Jane Golt 1731 Harbor Drive Chester, MD 21619	F	W	QANN	36	06/04/2007	06/05/2011	06/04/2007

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LL-0346 Real Estate Appraisers and Home Inspectors, State Commission Of									
1.00	General Appraiser	Pirritano, Thomas 4906 Bramhope Lane Ellicott City, MD 21043-	M	W	HWRD	09	01/01/2005	12/31/2007	11/29/2007
2.00	General Appraiser	Rush, Maryann L. 717 Rockaway Beach Avenue Baltimore, MD 21221-	F	W	BLCO	06	01/01/2007	12/31/2009	12/27/2007
3.00	Appraiser	Murphy, Patrick J. 3807 Juniper Road Baltimore, MD 21218-	M	W	CITY	43	01/01/2007	12/31/2009	10/02/2007
4.00	Residential Appraiser	McAdams, Steven J. 3303 Mulberry Street Edgewater, MD 21037-1642	M	W	ANAR	33	01/01/2006	12/31/2008	11/29/2007
13.0	Consumer	Lee, Trevor 2111 Edgewater Parkway Silver Spring, MD 20903-	M	AA	MONT	20	01/01/2006	12/31/2008	11/07/2007
IA-0293 Retirement and Pension Systems, Board of Trustees for the Maryland State									
3.00	General Public	Zirkin, Harold 6419 Shadow Road Chevy Chase, MD 20815-	M	W	MONT	16	07/01/2007	06/30/2011	09/12/2007
4.00	General Public	Schaefer, Robert W. 5903 Meadowood Road Baltimore, MD 21212	M	W	CITY	43	08/01/2007	07/31/2011	08/01/2007
5.00	General Public	Zollicoffer, Jr., Esquire, Thurman W. 407 Croyden Road Baltimore, MD 21212-	M	AA	CITY	43	08/01/2007	07/31/2011	09/10/2007

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NR-0466 Rural Legacy Board, Advisory Committee To The									
3.00	Agriculture	Tutman, Frederick L. 18600 Queen Anne Road Rear Barn Upper Marlboro, MD 20774-	M	AA	PGEO	23	07/01/2007	06/30/2010	08/16/2007
6.00	Forest Industry	Colton, John Hanson 39244 Burch Road Avenue, MD 20609-	M	W	STMA	29	07/01/2007	06/30/2010	08/16/2007
7.00	County Rec & Parks	Mackes, Gary W. 6444 Freedom Way Salisbury, MD 21801-	M	W	WICO	37	07/01/2007	06/30/2010	08/16/2007
8.00	Business	Worthington, Sr., Randall P. 217 Prescott Court Havre de Grace, MD 21078-	M	W	HRFD	34	07/01/2007	06/30/2010	08/30/2007
HH-0267 Social Work Examiners, State Board Of									
5.00	LCSW	Wall, Loretta Y. 8805 Stoneridge Circle # 304 Pikesville, MD 21208-	F	AA	BLCO	11	07/01/2007	06/30/2011	07/01/2007
HE-0112 Southern Maryland Board of Trustees, College of									
3.00		Middleton, Michael L PO Box 2505 La Plata, MD 20646-	M	W	CHAS	28	07/01/2007	06/30/2012	07/01/2007
IA-0363 St. Mary's City Commission, Historic									
7.00	MD Business Community	Tilghman, Mary K. 3 Trotting Horse Court Baltimore, MD 21228-	F	W	BLCO	12	07/01/2007	06/30/2011	11/19/2007

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10.0	General Public	O'Connor, Patience 1600 Avon Place, N.W. Washington, DC 20007-	F	W	NONR	00	07/01/2007	06/30/2011	11/19/2007
12.0	General Public	Moe, Esquire, Richard Fish Hook Drive Broomes Island, MD 20615-	M	W	CLVT	29	07/01/2007	06/30/2011	11/19/2007
13.0	General Public	Papenfuse, Ph.D., Edward C. 206 Oakdale Road Baltimore, MD 21210	M	W	CITY	41	07/01/2007	06/30/2011	11/19/2007
HE-0106	St. Mary's College of Maryland, Board of Trustees of								
1.00		Bailey, Sherrie Robinson 17 Millstone Road Baltimore, MD 21133-	F	AA	BSCO	42	06/25/2007	05/31/2011	06/25/2007
3.00		Broyles, Cynthia L. P.O. Box 131 Tall Timbers, MD 20690-	F	W	STMA	29	06/25/2007	05/31/2011	06/25/2007
4.00		Harmon, Gail M. Tippity Wichity Island Great Mills, MD 20634-	F	W	STMA	29	06/25/2007	05/31/2011	06/25/2007
5.00		Irwin, Walton Neil 400 W119th St 10W-W New York, NY 10027-	M	W	NONR	00	06/25/2007	05/31/2011	06/25/2007
6.00		Wobensmith, John Chambers 130 West 15th Street Apartment PH-K New York, NY 10011-	M	W	NONR	00	06/01/2005	05/31/2011	06/25/2007
7.00		Lake, William Anthony K. 43557 Blake Creek Road Leonardtown, MD 20650-	M	W	STMA	29	06/25/2007	05/31/2011	06/25/2007

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
13.0		Muldoon, Esquire, James Patrick 304 9th Street, SE Washington, DC 20003-	M	W	NONR	00	06/25/2007	05/31/2009	06/25/2007
15.0		Jackson, Thomas P., Honorable P.O. Box 265 Compton, MD 20627-	M	W	STMA	29	06/25/2007	05/31/2013	06/25/2007
16.0		Daugherty, Esquire, George Thomas 46619 Millstone Landing Road Lexington Park, MD 20653-	M	W	STMA	29	06/25/2007	05/31/2013	06/25/2007
17.0		Russell, Katharine A. 73415 Pinyon Street Palm Desert, CA 92260-	F	W	NONR	00	06/25/2007	05/31/2013	06/25/2007
18.0		Waldschmitt, Robert S. 1443 Gregg Drive Lusby, MD 20657-	M	W	CLVT	29	06/25/2007	05/31/2013	06/25/2007
19.0		Shepard, Esquire, Carmen M. 1342 North Carolina Avenue, NE Washington, DC 20002-	F	H	NONR	00	06/25/2007	05/31/2013	06/25/2007
23.0		Mahoney, Molly 7710 Old Chester Road Bethesda, MD 20817-	F	W	MONT	16	06/25/2007	05/31/2011	06/25/2007
IA-0324	Stadium Authority, Maryland and Executive Director								
3.00		Stewart, Richard T. 12703 Longwater Drive Mitchellville, MD 20743-	M	AA	PGEO	23	07/01/2007	06/30/2011	07/01/2007
7.00	Appointed by Mayor	Corey, Thomas B. 9500 Sidebrook Road Owings Mills, MD 21117-	M	AA	BLCO	11	07/01/2004	06/30/2008	12/01/2007

Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
SP-0084 State Police, Secretary of									
1.00	Secretary	Sheridan, Terrence B. 8507 Marblehead Road Lutherville, MD 21093-	M	W	BLCO	10	06/06/2007		06/06/2007
CO-1414 Talbot County Board Of License Commissioners									
3.00		Smith, Jr., Harvey E. 201 Federal Street Unit 89 PO Box 216 Easton, MD 21601-	M	W	TLBT	37	05/07/2007	05/07/2013	06/21/2007
BE-0479 Technology Development Corporation (TEDCO) Board of Directors, Maryland									
4.00	Venture Cap Financing	Lewin, III, John H. 4607 Wilmslow Road Baltimore, MD 21210-	M	W	CITY	41	07/01/2006	06/30/2010	08/10/2007
7.00	Tech-based Business	Powell, Lewis C. 5750 Cabinwood Court Indian Head, MD 20640-	M	AA	CHAS	28	07/01/2007	06/30/2011	08/10/2007
10.0	General Public	Himelfarb, M.P.H., Margaret Conn 116 Taplow Road Baltimore, MD 21212-	F	W	CITY	43	07/01/2007	06/30/2011	10/22/2007
12.0	General Public	Morton, Jr., Charles J. 300 Cedarcroft Road Baltimore, MD 21212-	M	W	CITY	43	07/01/2004	06/30/2008	06/07/2007
BE-0391 Tourism Development Board, Maryland									
1.00	Attractions	Sher, Kathleen Ann Cloyd 1306 Wine Spring Lane Baltimore, MD 21204	F	W	BLCO	42	07/01/2006	06/30/2009	07/01/2007

Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
3.00	Attractions	Prather, Terry W 2715 Cabernet Lane Annapolis, MD 21401-	M	AA	ANAR	33	07/01/2007	06/30/2010	07/01/2007
4.00	Lodging	Abdallah, Khaled M. Said 5553 Broadwater Lane Clarksville, MD 21029-	M	W	HWRD	09	07/01/2007	06/30/2010	07/01/2007
5.00	Lodging	Suga, Sheldon Kazuyoshi Temporary Address 2109 Mill Road Apt. 211 Alexandria, VA 22314-	M	A	NONR	00	07/01/2007	06/30/2010	07/01/2007
6.00	Lodging	Haynie, Michael E 5915 Central Avenue Baltimore, MD 21207-	M	AA	BLCO	10	07/01/2007	06/30/2010	07/01/2007
8.00	Food Service	Wolf, Cynthia 7512 L'Hirondelle Club Road Towson, MD 21204-	F	W	BLCO	42	07/01/2006	06/30/2009	07/01/2007
9.00	Attractions	Vick, Andrew L 12 South Mechanic Street Cumberland, MD 21502-	M	W	ALLG	1	07/01/2006	06/30/2009	07/01/2007
11.0	Transportation	Maher, Helene M. "Peggy" 6187 Kara's Walk Elkridge, MD 21075-	F	W	HWRD	13	07/01/2005	06/30/2008	07/01/2007
TD-0206	Transportation Authority, Maryland								
1.00		Lewin, Richard C. Mike 4401 Greenway Baltimore, MD 21218	M	W	CITY	43	07/01/2007	06/30/2011	08/13/2007
2.00		Hoblitzell, Louise P. 27 Old Boxwood Lane Lutherville, MD 21093-	F	W	BLCO	11	07/01/2007	06/30/2011	08/13/2007

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
3.00		Basso, Peter J. 514 Mannakee Street Rockville, MD 20850-	M	W	MONT	17	07/01/2007	06/30/2011	08/13/2007
5.00		Woodford, Jr., Walter E. 212 Overlook Lane P.O. Box 337 Centreville, MD 21617-	M	W	QANN	36	07/01/2006	06/30/2010	08/13/2007
6.00		Whitson, Michael J. 28264 Old Village Road Mechanicsville, MD 20659-	M	W	STMA	29	07/01/2005	06/30/2008	05/17/2007
7.00		Calhoun, Sr., William C., Reverend Dr. 932 North Central Avenue Baltimore, MD 21202	M	AA	CITY	41	01/01/2007	06/30/2008	05/17/2007
8.00		Marks, Sr., Esquire, Isaac H. 9255 Three Oaks Drive Silver Spring, MD 20901-	M	AA	MONT	20	01/01/2007	06/30/2008	05/17/2007
HE-0002	University System of Maryland, Board Of Regents								
4.00		Slater, Esquire, Thomas 2229 Lamp Post Lane Frederick, MD 21701-	M	W	FRED	03	07/01/2007	06/30/2012	07/01/2007
16.0	Student	Scott, Jr., Richard E. P.O. Box 114 Chesapeake Beach, MD 20732-	M	AA	CLVT	27	07/01/2007	06/30/2008	07/01/2007
BE-0351	Venture Capital Trust Board Of Trustees, Maryland								
7.00	Participating Investor	Schaefer, Robert W. 5903 Meadowood Road Baltimore, MD 21212	M	W	CITY	43	07/01/2004	06/30/2008	09/28/2007

**Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008**

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
VA-0491 Veterans Affairs, Secretary of									
1.00	Secretary	Adkins, James A. 27 Algonquin Road Cambridge, MD 21613-	M	W	DORC	37	05/09/2007		05/09/2007
VA-0263 Veterans Home Commission, Maryland									
9.00		Johnson, Calvin , Reverend 10375 Chamberlin Court, W. Waldorf, MD 20601-	M	W	CHAS	28	07/01/2007	06/30/2012	11/07/2007
10.0		Davis, Thomas Lee P. O. Box 551 3606 27th Street Chesapeake Beach, MD 20732	M	W	CLVT	27	07/01/2007	06/30/2012	10/04/2007
AG-0046 Veterinary Medical Examiners, State Board Of									
3.00	Veterinarian	Handel, D.V.M., David L. 14400 Frances Green Way Nroth Potomac, MD 20878-	M	W	MONT	39	06/01/2004	05/31/2009	11/15/2007
7.00	Public	Cutchins, Kimberly J. 38020 New Market Turner Road Mechanicsville, MD 20659-	F	W	STMA	29	06/01/2007	05/31/2012	09/06/2007
EN-0177 Waterworks And Waste Systems Operators, State Board Of									
3.00	Sanitary/Metro Comm	Haxton, Joseph L. 32031 Tuckahoe Avenue Cordova, MD 21625	M	W	TLBT	37	07/01/2007	06/30/2011	07/01/2007
CO-1801 Worcester County Bingo Board									
2.00		Philips, Jeffrey E. 12316 W. Torquay Road Ocean City, MD 21842-	M	W	WORC	38	06/01/2003	05/31/2009	09/12/2007

Governor Martin O'Malley
2007 Recess Appointments Requiring Confirmation by the Maryland State Senate
From 04/10/2007 To 01/08/2008

Slot	Slot Title	Appointee	Gender	Ethnic	County	Leg Dist	Term Begin	Term End	Appointed
CO-1524 Worcester County Board Of Elections									
3.00	Majority Party	Hudson, Anna Louise 509-B Deighton Avenue Snow Hill, MD 21863-	F	AA	WORC	38	06/03/2007	06/05/2011	06/04/2007
CO-1418 Worcester County Board Of License Commissioners									
3.00		Nichols, Jr., R. Charles Mapleton Farm 10527 Calvin Lane Berlin, MD 21811-	M	W	WORC	38	07/01/2007	06/30/2011	08/02/2007
CO-1419 Worcester County Liquor Control Board									
2.00		Jackson, III, Joseph A. 603 Market Street Pocomoke City, MD 21851	M	W	WORC	38	06/01/2007	05/31/2011	09/10/2007
HH-0117 Youth Camp Safety, Advisory Council On									
3.00	Camp Owner/Mgr	Sendlenski, Diane M. 10516 East Wind Way Columbia, MD 21044	F	W	HWRD	12	07/01/2007	06/30/2010	07/01/2007

Introduction of Congressman Albert R. Wynn

INTRODUCTION OF BILLS

Senate Bill 1 – Senator Lenett

AN ACT concerning

Maryland Legislative Youth Advisory Council

FOR the purpose of establishing the Maryland Legislative Youth Advisory Council; providing for the appointment, membership, terms, and duties of the Council; providing for the appointment of the cochairs of the Council; providing for the staffing for the Council; requiring the Council to work with the State Department of Education regarding the granting of school credit for Council service; requiring the Council to hold certain public meetings, conduct certain public hearings, propose legislation, and conduct a public awareness campaign; providing that a member of the Council may not receive compensation as a member of the Council, but is entitled to certain reimbursement; requiring the Council to make an annual report to the General Assembly; defining certain terms; and generally relating to the Maryland Legislative Youth Advisory Council.

BY adding to

Article – State Government

Section 9–2701 to be under the new subtitle “Subtitle 27. Maryland Legislative Youth Advisory Council”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 2 – Senator Lenett

AN ACT concerning

Vehicle Laws – Use of Wireless Communication Devices While Driving – Prohibitions

FOR the purpose of prohibiting a driver of a certain school vehicle from using certain wireless communication devices; prohibiting a holder of a learner’s instructional permit or provisional driver’s license who is 18 years of age or older from driving a motor vehicle while using certain wireless communication devices; prohibiting a certain driver of a motor vehicle that is in motion from using the driver’s hands to use certain wireless communication devices except under certain

circumstances; establishing penalties for a violation of this Act; authorizing the court to waive a certain penalty under certain circumstances; providing for exceptions to certain provisions of this Act relating to prohibitions on using wireless communication devices while driving; defining certain terms; and generally relating to prohibitions against the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21-1124
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 21-1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 3 – Senators Simonaire, Harris, Edwards, and Greenip

AN ACT concerning

Fallen Soldier Privacy Act of 2008

FOR the purpose of prohibiting a person from using the name, portrait, picture, or image of a certain deceased soldier for certain purposes without prior consent from certain individuals; defining a certain term; establishing a certain penalty; and generally relating to the use of a deceased soldier’s identity.

BY adding to
Article – Business Regulation
Section 19-401 through 19-403 to be under the new subtitle “Subtitle 4. Use of a Deceased Soldier’s Identity”
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 4 – Senator Simonaire

AN ACT concerning

Notary Public – Fees

FOR the purpose of increasing the maximum fee that the Secretary of State may establish by regulation for an original notarial act; and generally relating to fees charged by notaries public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–112
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 5 – Senator Jacobs

AN ACT concerning

Child Protection from Predators Act of 2008

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain offender or child sexual offender committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility; providing for the application of this Act; and generally relating to the earning of diminution credits by offenders and child sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 6 – Senator Simonaire

AN ACT concerning

Criminal Procedure – Offender Registry – Possession of Child Pornography

FOR the purpose of altering the definition of “offender” for inclusion on a certain offender registry to include a certain person convicted of possession of child pornography; and generally relating to registration of offenders and possession of child pornography.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 11–208

Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(a) and 11–704
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(d)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 7 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

FOR the purpose of altering the date by which the Task Force to Study the Boating Industry in Maryland is required to submit its findings and recommendations to the Governor and the General Assembly; altering the date for the termination of the Task Force; and generally relating to the Task Force to Study the Boating Industry in Maryland.

BY repealing and reenacting, with amendments,
Chapter 523 of the Acts of the General Assembly of 2007
Section 1 and 2

Read the first time and referred to the Committee on Finance.

Senate Bill 8 – Senator Harris

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland Taxpayer Protection Act

FOR the purpose of adding a new section to the Maryland Constitution to require the approval of two-thirds of the members elected to each House of the General Assembly to pass legislation to increase the rate of an existing tax or to impose a tax on an individual or entity not subject to the tax at the time of

consideration of the legislation; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 28A

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 9 – Senator Rosapepe

AN ACT concerning

Alcoholic Beverages – Beer Keg Sales – Registration Form

FOR the purpose of requiring a person who sells beer in kegs at retail to write certain information about the purchaser on the registration form that the purchaser must complete and sign before the keg is sold or otherwise transferred; making a stylistic change; and generally relating to the sale of beer in kegs.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 21–106(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 21–106(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 10 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions – Cross-References and Corrections

FOR the purpose of correcting certain cross-references to new Title 15 and new Title 16 of the Criminal Procedure Article of the Annotated Code of Maryland that revise provisions of law that relate to the Office of the State Prosecutor, the Office of the State's Attorney, and the Office of the Public Defender, respectively; and generally relating to new Titles 15 and 16 of the Criminal

Procedure Article and cross-references to them.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–113
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–20(e)(3)(ii) and 10–4A–04(c)(2)(ii)1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–103(b)(3) and 11–903
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–302(d)(2), 9–268.1(b)(2), and 9–344(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–307(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 11 – Senators Colburn and Pipkin

AN ACT concerning

Creation of a State Debt – Caroline County – Adkins Arboretum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of Adkins Arboretum, Ltd. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 12 – Senator McFadden

AN ACT concerning

**Income Tax – Subtraction Modification – United States Coast Guard
Auxiliary – Requirements**

FOR the purpose of altering certain requirements for an individual to be eligible for a certain subtraction modification under the Maryland income tax for service in certain fire, rescue, or emergency medical services organizations; repealing certain obsolete language; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for service in certain fire, rescue, or emergency medical services organizations.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(i–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 13 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Talbot County – Oxford Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Oxford Community Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 14 – Senators Colburn and Pipkin

AN ACT concerning

Creation of a State Debt – Caroline County – Old Caroline High School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Denton Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 15 – Senators Simonaire, Mooney, Harris, Jacobs, Colburn, and Greenip

AN ACT concerning

Citizen’s Tuition Protection Act

FOR the purpose of altering certain powers and duties of the presidents of the constituent institutions of the University System of Maryland relating to the setting of tuition; prohibiting the constituent institutions from charging an undergraduate student who is a citizen of the United States a tuition rate that is higher than the tuition rate charged an undergraduate student who is not a citizen of the United States; requiring the Board of Regents of the University System of Maryland to adopt certain policies; defining a certain term; and generally relating to tuition charged by the University System of Maryland.

BY repealing and reenacting, with amendments,
Article – Education
Section 12–109(e)(7)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 12–117
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 16 – Senators Simonaire, Mooney, Jacobs, Haines, Brochin, Stone, and Muse

AN ACT concerning

Crimes – Repeat Sexual Offenders – Enhanced Sentencing

FOR the purpose of increasing the maximum sentence for a person who is convicted of the felony of rape in the second degree if the person previously has been convicted of the felony of rape in the first degree, rape in the second degree, sexual offense in the first degree, or sexual offense in the second degree; increasing the maximum sentence for a person who is convicted of the felony of sexual offense in the second degree if the person previously has been convicted of the felony of rape in the first degree, rape in the second degree, sexual offense in the first degree, or sexual offense in the second degree; and generally relating to sentencing for sexual offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–304 and 3–306
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 17 – Senator Conway

AN ACT concerning

Real Property – Foreclosures – Notices to Record Owners

FOR the purpose of altering the times by which certain notices of foreclosure are required to be sent to a record owner under certain circumstances; and generally relating to notices of foreclosure.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105(a–1) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 18 – Senator Conway

AN ACT concerning

Baltimore City – 43rd Legislative District – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

FOR the purpose of establishing a Class BWLT beer, wine, and liquor tasting license in a certain part of the 43rd Legislative District of Baltimore City; establishing fees for Class BWLT licenses; authorizing a Class BWLT license holder to allow the consumption of certain alcoholic beverages for tasting or sampling; requiring a Class A license holder to apply for a Class BWLT license in a certain manner; requiring a Class BWLT license holder to dispose of any unconsumed alcoholic beverages remaining in a container that was opened for tasting or sampling; and generally relating to alcoholic beverages licenses in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–403.2

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 19 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Limitations on Methadone and Other Opioid Treatment Facilities

FOR the purpose of prohibiting in Anne Arundel County the establishment or operation of a certain opioid treatment facility within a certain distance of certain locations except under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to opioid treatment facilities in Anne Arundel County.

BY adding to

Article – Health – General

Section 8–406

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 20 – Senator Simonaire

AN ACT concerning

Vehicle Laws – School Buses and Former School Buses – Seat Belts

FOR the purpose of clarifying that a certain type of school vehicle used by certain schools, camps, day nurseries, or day care centers to transport children is not required to be equipped with seat belts and is not subject to certain regulations; establishing that a motor vehicle that formerly was registered as a certain type of school vehicle is not required to be equipped with seat belts and is not subject to certain regulations if it is used by certain schools, camps, day nurseries, or day care centers to transport children; and generally relating to seat belts on school buses.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–154 and 11–173
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 21 – Senator Simonaire

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Historical Freetown
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Freetown Improvement Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 22 – Senator Colburn

AN ACT concerning

State Pension and Retirement System – Divesting from Iran

FOR the purpose of prohibiting the Board of Trustees for the State Retirement and Pension System from investing any assets of the State Retirement and Pension System in certain companies; requiring the Board of Trustees to divest certain assets of the State Retirement and Pension System from certain companies by a certain date; requiring the Board of Trustees to submit certain reports by certain dates; defining certain terms; and generally relating to the divestment of assets of the State Retirement and Pension System.

BY adding to

Article – State Personnel and Pensions

Section 21–123.2

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 23 – Senators Simonaire and Greenip

AN ACT concerning

Teenage Protection Pilot Program

FOR the purpose of requiring certain facilities performing certain procedures to offer certain options to certain patients; requiring certain facilities to provide a certain form to be signed by certain patients; providing for the information to be provided on the form; requiring the form to be maintained in the medical record of the patient for a certain time period; providing for a certain penalty; defining a certain term; providing that this Act applies in Anne Arundel County; providing for the termination of this Act; and generally relating to the Teenage Protection Pilot Program.

BY adding to

Article – Health – General

Section 20–215

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 24 – Senators Simonaire, Stone, and Jacobs

AN ACT concerning

Sex Offender Registration and Notification Act Task Force

FOR the purpose of establishing a Sex Offender Registration and Notification Act Task Force; providing for the membership and duties of the Task Force; providing for the appointment of the chair and for the staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the establishment of a Sex Offender Registration and Notification Act Task Force.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 25 – Senator Simonaire

CONSTITUTIONAL AMENDMENT

AN ACT concerning

State Government – General Assembly – Legislative Salaries

FOR the purpose of authorizing the General Assembly at anytime to supersede a formal resolution of the General Assembly Compensation Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission; prohibiting a joint resolution passed by the General Assembly that supersedes a resolution of the Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission from increasing an item or provision that establishes certain compensation and allowances; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 15

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 26 – Senator Simonaire

AN ACT concerning

Task Force to Study the Commitment of Sexually Violent Predators to Facilities of the Department of Health and Mental Hygiene

FOR the purpose of establishing the Task Force to Study the Commitment of Sexually Violent Predators to Facilities of the Department of Health and Mental Hygiene; providing for the membership of the Task Force; requiring certain members of the Task Force to represent geographic, ethnic, and cultural differences in the State to the extent possible; requiring the President of the Senate and the Speaker of the House to jointly designate a chair of the Task Force; requiring the Department of Legislative Services to staff the Task Force; authorizing the Task Force to request assistance and staffing from other State agencies; prohibiting a member of the Task Force from receiving compensation as a member of the Task Force; authorizing a member of the Task Force to receive reimbursement for expenses; establishing the duties of the Task Force to review and evaluate other states' programs and make certain recommendations relating to the commitment of sexually violent predators to facilities of the Department of Health and Mental Hygiene; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Commitment of Sexually Violent Predators to Facilities of the Department of Health and Mental Hygiene.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 27 – Senator Harris

AN ACT concerning

Commercial Law – Abandoned Property – Notice to Apparent Owners

FOR the purpose of repealing a certain provision of law that requires the State Comptroller to cause a certain notice relating to abandoned property to be published in certain newspapers of general circulation; requiring the State Comptroller to maintain an abandoned property database; requiring the State Comptroller to add the names and last known addresses, if any, of persons listed in certain reports to the abandoned property database within a certain time period; providing that the State Comptroller is not required to add the names and last known addresses of certain persons to the abandoned property database under certain circumstances; requiring the State Comptroller to maintain a certain Internet website; requiring the Internet website to contain certain information and a link to a certain form and to provide reasonable means by which a person may search the abandoned property database; requiring the State Comptroller to take certain steps to publicize the existence of the Internet website; defining a certain term; and generally relating to abandoned property and notice to apparent owners of abandoned property.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–311
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 28 – Senator Forehand

AN ACT concerning

All-Terrain Vehicles – Protective Headgear

FOR the purpose of prohibiting an individual under a certain age from operating or riding on an all-terrain vehicle unless the individual is wearing protective headgear that meets certain standards; defining a certain term; and generally relating to required equipment for individuals operating or riding on all-terrain vehicles.

BY adding to

Article – Transportation

Section 21–1207.3

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 29 – Senator Klausmeier

AN ACT concerning

Gaming – Slot Machines – Ownership and Operation by Eligible Nonprofit Organizations

FOR the purpose of making provisions that authorize eligible organizations to own or operate slot machines applicable statewide; altering the definition of “eligible organization” to make it applicable to a nonprofit organization that has been located in the State for a certain number of years before the organization applies for a license; and generally relating to slot machine ownership and operation by eligible nonprofit organizations.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–304

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 30 – Senators Astle and Pipkin

AN ACT concerning

Motor Vehicle Accident Reports – Access – Members of the General Assembly

FOR the purpose of authorizing a member of the General Assembly to access a motor vehicle accident report under certain circumstances; making stylistic changes; and generally relating to access to motor vehicle accident reports.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 20–110
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 31 – Senator Rosapepe

AN ACT concerning

Public Utility Companies – Bus Service Provided by Institutions of Higher Education – Exemption from Motor Carrier Permit Requirement

FOR the purpose of providing that a motor carrier permit is not required for a shuttle bus service operated by an institution of higher education for its students that also is used to provide, in exchange for payment by the municipal corporation in which the institution is located, transportation service to the residents of the municipal corporation; and generally relating to bus service provided by an institution of higher education to its students and to the residents of a certain municipal corporation.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 9–201
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 32 – Senator Colburn

AN ACT concerning

Income Tax Credit – Oyster Restoration Activity

FOR the purpose of allowing an individual to claim a credit against the State income

tax for a certain amount for participating in certain oyster restoration activities; requiring an individual claiming a certain tax credit to submit a certain statement with the individual's income tax return; providing for the application of this Act; defining a certain term; and generally relating to a tax credit against the State income tax for participating in an oyster restoration activity.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 33 – Senator Muse

AN ACT concerning

Prince George's County – Board of Education

FOR the purpose of repealing certain provisions of law relating to the composition of certain school board districts in Prince George's County; requiring the elected members of the Prince George's County Board of Education to be elected from certain school board districts; providing for the boundaries of certain school board districts; requiring candidates for the County Board to live in certain school board districts and be registered voters; providing for the terms of the elected members of the County Board; requiring a certain vacancy on the County Board to be filled by a special election if the vacancy occurs within a certain time period; requiring that a certain vacancy on the County Board remain unfilled under certain circumstances; requiring the Prince George's County Council to adopt a certain resolution concerning a special election for the County Board; requiring a special election for the County Board to be conducted at a certain time and in a certain manner under certain provisions of law; requiring that a special election for the County Board be funded by Prince George's County; clarifying that a school board member removed from office is entitled to judicial review of the removal based on a certain record and certain other evidence; repealing certain provisions of law relating to public meetings and executive sessions of the County Board; requiring a certain vote of the County Board to pass a motion of the County Board when there are two or more vacancies on the County Board; repealing a certain provision of law relating to the composition of a committee of the County Board; repealing certain provisions of law relating to the Chief Financial Officer of the county public school system; making stylistic changes; providing for the effective dates of this Act; and generally relating to the Prince George's County Board of Education.

BY repealing

Article – Education

Section 3-1001 and 3-1008
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 3-1001
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3-1002 through 3-1004 and 3-1006
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 34 – Senator Colburn

AN ACT concerning

Election Law – Voter Registration – Proof of Citizenship

FOR the purpose of requiring that an applicant for voter registration submit proof of United States citizenship with the application; specifying the types of documents that establish proof of United States citizenship; and generally relating to the establishment of citizenship or identity in order to qualify for voter registration.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 3-102(a)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3-201
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 35 – Senator Simonaire

AN ACT concerning

Anne Arundel County School Board – Student Member – Reimbursement of Expenses

FOR the purpose of authorizing the student member of the Anne Arundel County Board of Education to be reimbursed for certain expenses subject to the approval of the Board; providing for the application of this Act; and generally relating to the reimbursement of expenses for the student member of the Anne Arundel County Board of Education.

BY repealing and reenacting, without amendments,

Article – Education

Section 3–110(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–110(g)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 36 – Senator Simonaire

AN ACT concerning

Legislative Scholarships Integrity Act of 2008

FOR the purpose of prohibiting a member of the General Assembly from awarding a Senatorial Scholarship or a House of Delegates Scholarship to certain persons; providing that certain provisions of law do not apply to the Maryland Higher Education Commission or the Office of Student Financial Assistance when awarding certain scholarships under certain circumstances; providing for the disposition of a certain award and requiring the Office of Student Financial Assistance to send a certain written notice to certain individuals if a member of the General Assembly awards a certain scholarship under certain circumstances; defining a term; making a stylistic change; and generally relating to legislative scholarships.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–401, 18–407, 18–501, and 18–507

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–402 and 18–502
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 37 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions

FOR the purpose of adding three new titles to the Criminal Procedure Article of the Annotated Code of Maryland, to be designated and known as “Title 14. Office of the State Prosecutor”, “Title 15. Office of the State’s Attorney”, and “Title 16. Office of the Public Defender”; revising, restating, and recodifying certain laws applicable to the Office of the State Prosecutor, including laws concerning the establishment of the Office, the eligibility of individuals to be nominated and appointed to be the State Prosecutor, the establishment and membership of the State Prosecutor Selection and Disabilities Commission, the filling of vacancies in the Office, the reprimand or removal of the State Prosecutor, the general powers and duties of the State Prosecutor, investigations, reports, and prosecutions of the Office, the budget and staff of the Office, and meetings with the Attorney General and State’s Attorneys; revising, restating, and recodifying certain laws applicable to the Office of the State’s Attorney, including laws concerning the duties of the State’s Attorney, the subpoena power in a criminal investigation, and the appointment of an interim State’s Attorney, the establishment of the State’s Attorneys’ Coordination Council, the establishment of the Office of the State’s Attorneys’ Coordinator, the duties of the Coordinator, and the salary, expenses, staffing, and other matters regarding the State’s Attorneys for Allegany County, Anne Arundel County, Baltimore County, Calvert County, Caroline County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick County, Garrett County, Harford County, Howard County, Kent County, Montgomery County, Prince George’s County, Queen Anne’s County, St. Mary’s County, Somerset County, Talbot County, Washington County, Wicomico County, and Worcester County; revising, restating, and recodifying certain laws applicable to the Office of the Public Defender, including laws concerning the establishment of the Office of the Public Defender, Office personnel, representation of indigent individuals, termination of representation, representation in federal court, duties and

powers of the Public Defender, panel attorneys, privileged communications, eligibility for services, reimbursement for services, liens, the Board of Trustees of the Office of the Public Defender, regional advisory boards, reports of the Public Defender, and appropriations; defining certain terms; providing for the construction and application of this Act; providing for the continuity of certain units and the terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interests, licenses, registrations, certifications, and permits; and generally relating to laws of the State relating to the Office of the State Prosecutor, the Office of the State's Attorney, and the Office of the Public Defender.

BY repealing

Article 10 – Legal Officials

In its entirety

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing

Article 27A – Public Defender

In its entirety

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY repealing

Article – State Government

Section 9–1201 through 9–1213, inclusive, and the subtitle “Subtitle 12. Office of the State Prosecutor”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Criminal Procedure

Section 14–101 through 14–114, inclusive, and the new title “Title 14. Office of the State Prosecutor”; 15–101 through 15–424, inclusive, and the various subtitles to be under the new title “Title 15. Office of the State's Attorney”; and 16–101 through 16–403, inclusive, and the various subtitles to be under the new title “Title 16. Office of the Public Defender”

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 14)

ADJOURNMENT

At 12:50 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 10, 2008.

Annapolis, Maryland
Thursday, January 10, 2008
10:00 A.M. Session

The Senate met at 10:27 A.M.

Prayer by Pastor Roger Carlson, Cape St. Claire United Methodist Church, guest of Senator Forehand.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 9, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Astle be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 17)

INTRODUCTION OF BILLS

Senate Bill 38 – Senator Dyson

AN ACT concerning

Legislative Community Initiatives Loan of 2004 – St. Mary's County – Old Carvers Heights – South Hampton Community Village

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to extend the deadline by which the Board of Directors of Save the Village, Inc. must present evidence that a matching fund will be provided; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by
Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 555
of the Acts of the General Assembly of 2006
Section 13(3)(i) Item (BI)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 39 – Senator Dyson

AN ACT concerning

Joint Committee on Base Realignment and Closure – Additional Members

FOR the purpose of increasing the membership of the Joint Committee on Base Realignment and Closure; and generally relating to the Joint Committee on Base Realignment and Closure.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–12
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 40 – Senators Harris, Colburn, and Greenip

AN ACT concerning

Higher Education – Prohibition on Illegal Aliens from Receiving In-State Tuition Status

FOR the purpose of prohibiting public institutions of higher education from classifying certain individuals as in-State students for purposes of tuition remission; requiring the governing board of each public institution of higher education to adopt certain policies; defining a certain term; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY adding to
Article – Education
Section 15–106.7
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 41 – Senators Harris, Mooney, and Simonaire

AN ACT concerning

Sales and Use Tax – Computer Services

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to repeal the tax on certain computer services; providing certain sales and use tax exemptions relating to certain computer services and certain computer software maintenance contracts; repealing a certain termination date; repealing a certain definition; and generally relating to the repeal of the sales and use tax on certain computer services.

BY repealing

Article – Tax – General

Section 11–101(c–1)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–101(m) and 11–219

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session

Section 13

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 42 – Senator Frosh

AN ACT concerning

Family Law – Temporary Protective Orders – Surrender of Firearms

FOR the purpose of authorizing a judge in entering a temporary protective order to order a certain person to surrender to law enforcement authorities any firearm in the person’s possession for a certain period of time; and generally relating to temporary protective orders and surrender of firearms.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–505

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 43 – Senator Stone

AN ACT concerning

Sexual Offender Registration Information – Re-Incarceration for New Crime

FOR the purpose of requiring the Department of Public Safety and Correctional Services to make available to the public a registration statement or information about the registration statement of a registrant of the State sexual offender registry who is re-incarcerated due to a conviction for a new crime during the term of the registrant's registration; requiring information about the registration statement of a certain registrant to include a notation indicating that the registrant is incarcerated; and generally relating to the registration of sexual offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–717
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 44 – Senator Stone

AN ACT concerning

Criminal Law – Dogfight and Cockfight Attendance – Penalties

FOR the purpose of making it a felony to attend a dogfight or a cockfight under certain circumstances; altering the penalty for knowingly attending a deliberately conducted dogfight or a deliberately conducted event that uses a fowl, cock, or other bird to fight another fowl, cock, or other bird; and generally relating to penalties for attendance at a dogfight or a cockfight.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–605
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 45 – Senator Lenett

AN ACT concerning

State Advisory Council on Quality Care at the End of Life – Membership

FOR the purpose of altering the membership of the State Advisory Council on Quality Care at the End of Life; and generally relating to the membership of the State Advisory Council on Quality Care at the End of Life.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–1601
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1602(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 46 – Senator Forehand

AN ACT concerning

Sales and Use Tax – Computer Services

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to repeal the tax on certain computer services; providing certain sales and use tax exemptions relating to certain computer services and certain computer software maintenance contracts; repealing a certain termination date; repealing a certain definition; and generally relating to the repeal of the sales and use tax on certain computer services.

BY repealing
Article – Tax – General
Section 11–101(c–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General

Section 11-101(m) and 11-219
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2007 Special Session
Section 13

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 47 – Senator Astle

AN ACT concerning

Transportation – Feasibility Study of Rail Transit Service for Annapolis

FOR the purpose of requiring the Department of Transportation to study options for providing rail transportation in the Annapolis area and between greater Annapolis and the Washington, D.C. and Baltimore metropolitan areas and to report its findings and recommendations by a certain date; requiring the Department to use existing resources to conduct the study and to make findings and recommendations; providing for the termination of this Act; and generally relating to a study of rail transit service in the greater Annapolis area and between greater Annapolis and the Washington, D.C. and Baltimore metropolitan areas.

Read the first time and referred to the Committee on Finance.

Senate Bill 48 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Galesville Rosenwald School

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Galesville Community Center Organization, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 1 – Senators Harris, Mooney, Dyson, and Stone

A Senate Joint Resolution concerning

Ronald Reagan Day

FOR the purpose of commemorating former President Ronald Reagan and proposing a day for Marylanders to pay tribute to him.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senator Haines introduced an amendment to **Senate Rule 37**.

SR0037/213928/1

BY: Senator Haines

AMENDMENT TO SENATE RULE 37

ORDERED by the Senate of Maryland, that Senate Rule No. 37, as adopted by the Senate for the 2008 Session, be and it is hereby repealed and readopted, with amendments, to read as follows:

37. Consideration of Bills and Resolutions.

(A) Each committee shall consider each bill and resolution referred to it.

(B) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, IN EACH REGULAR SESSION OF THE GENERAL ASSEMBLY, A MEMBER MAY DESIGNATE ONE BILL THAT WAS INTRODUCED BY THAT MEMBER IN THAT SESSION AND REFERRED TO A STANDING COMMITTEE AS THAT MEMBER'S PRIORITY SPONSORSHIP BILL.

(2) A BILL IDENTIFIED AS A MEMBER'S PRIORITY SPONSORSHIP BILL SHALL BE GUARANTEED A HEARING IN AND A FINAL RECORDED VOTE BY

THE COMMITTEE TO WHICH IT WAS REFERRED DURING THE SESSION IN WHICH THE DESIGNATION OF PRIORITY SPONSORSHIP WAS MADE.

(3) A MEMBER MAY NOT TRANSFER TO ANOTHER MEMBER THE PRIVILEGE GRANTED BY PARAGRAPH (1) OF THIS SUBSECTION.

(4) THE DESIGNATION OF A PRIORITY SPONSORSHIP BILL BY A MEMBER IS IRREVOCABLE.

Senator Haines moved, duly seconded, to make the Rule a Special Order for January 15, 2008.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 18)

ADJOURNMENT

At 10:45 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 11, 2008.

**Annapolis, Maryland
Friday, January 11, 2008
11:00 A.M. Session**

The Senate met at 11:12 A.M.

Prayer by The Honorable J. Lowell Stoltzfus.

The Journal of January 10, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Astle, Britt, Currie and Dyson be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 21)

INTRODUCTION OF BILLS

**Senate Bill 49 – Senators Conway, Britt, Currie, Exum, Gladden, Jones,
Kelley, Madaleno, McFadden, Muse, and Pugh**

AN ACT concerning

**Maryland Higher Education Commission – Review of Duplicative Academic
Programs**

FOR the purpose of requiring the Maryland Higher Education Commission to make certain determinations concerning certain programs approved or implemented during or after certain dates under certain circumstances; requiring the Commission to include certain findings as part of certain determinations; authorizing the Commission to take certain actions as a result of certain determinations; providing that certain decisions of the Commission concerning certain duplication of academic programs are subject to judicial review in the circuit court in accordance with certain rules and certain provisions of the Administrative Procedure Act; providing that this Act shall be construed to require the Commission to review certain determinations regarding certain duplication of academic programs; requiring Morgan State University or the University of Baltimore to accept certain students enrolled in a certain program at Towson University that has been discontinued under a certain order of the

Commission or a court; and generally relating to the review of duplicative academic programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–206 and 11–206.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 50 – Senator Brochin

AN ACT concerning

Education – Special Education Services – Children in a Home School Setting

FOR the purpose of requiring that a child with a disability in a home school setting be given the same consideration as a child with a disability in a private school setting for the purpose of passing through federal funds for the provision of certain special education services; defining a certain term; and generally relating to the provision of special education services.

BY adding to
Article – Education
Section 8–403.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 51 – Senators Stone, Brochin, Della, Haines, Jacobs, and Klausmeier

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Sample Collection on Arrest – First and Second Degree Rape

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest for first or second degree rape; altering a certain definition; requiring a DNA sample to be collected at the facility where a certain arrest is processed; authorizing a certain individual to request expungement of certain DNA-related information if the individual's arrest meets certain criteria; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 52 – Senator Pipkin

AN ACT concerning

Task Force to Study the Cost of Illegal Aliens in Maryland

FOR the purpose of establishing a Task Force to Study the Cost of Illegal Aliens in Maryland; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the Department of Business and Economic Development to provide staff for the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Cost of Illegal Aliens in Maryland.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 53 – Senator Gladden

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City –
Baltimore Clayworks**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the deadline by which the Board of Trustees of Baltimore Clayworks, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (R) and ZA02 (W)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 54 – Senators Gladden, Conway, Dyson, and Exum

AN ACT concerning

Voter's Rights Protection Act of 2008

FOR the purpose of altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring the State Board of Elections to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to extend the hours that a polling place shall be open under certain circumstances; prohibiting a vacancy in polling place staff from delaying the opening of the polling place; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring certain election judges to document for further investigation any malfunction of the voting system and other issues that arise during the course of an election; regulating the activities of challengers or watchers at the polling place; prohibiting certain persons from distributing, disseminating, or publishing, or being responsible for such activities, with respect to any item of campaign material that contains certain fraudulent representations or implications; authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; making technical changes; and generally relating to voting procedures and requirements under the State election law.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–404, 10–206, 10–301, 10–305, 10–310, 10–311, and 16–201

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

BY adding to

Article – Election Law

Section 13–401.1

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 55 – Senators Miller and Dyson

AN ACT concerning

Calvert County – Alcoholic Beverages

FOR the purpose of altering certain alcoholic beverages license fees in Calvert County; imposing certain requirements for restaurants in the county for which certain

Class B licenses have been issued; creating a special beer and wine tasting license in the county; providing for an annual fee, application procedures, and certain requirements for the license; specifying certain conditions under which a protest to a renewal of an alcoholic beverages license in the county may occur; altering the time during which a penalty may be imposed for late renewal of an alcoholic beverages license in the county; imposing a certain fine for the sale of alcoholic beverages to an underage individual in the county; altering the salaries for the chairman, members, and alternate member of the Calvert County Board of License Commissioners; making certain stylistic changes; and generally relating to alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 3–401(a), 5–101(a), 5–201(a)(1), 6–101(a)(1), 6–201(a)(1), 6–401(a)(1), 10–301(n)(1), and 12–108(a)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 3–401(f), 5–101(f), 5–201(f), 6–101(f), 6–201(f), 6–401(f), 10–301(a)(1)(iii) and (n)(2), 12–108(a)(3)(i), and 15–109(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–404.1A

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 56 – Senators Zirkin, Brochin, Currie, Haines, Jacobs, Kittleman, Kramer, Mooney, Muse, Raskin, Robey, and Stoltzfus

AN ACT concerning

Sex Offender Registry – Identifying Information

FOR the purpose of requiring that the registration statement of an individual required to register as a sex offender include the registrant's current or former aliases, names, nicknames, chat room identities, computer log-in or screen names, Internet identities, and instant-messaging identities that the registrant has used; and generally relating to registration statements of sex offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–706
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 57 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

FOR the purpose of altering the factors a juvenile court is required to consider in making certain findings in certain hearings; altering the number of days' notice a local department of social services is required to give to certain persons before certain hearings; specifying the contents of the notice; requiring the notice to be in writing, unless waived for good cause; clarifying that certain persons have the right to be heard at certain hearings; requiring the court to consult with a child in a certain manner at certain hearings; requiring a local department to consider certain placements for certain children; correcting an obsolete reference; and generally relating to children in out-of-home placement.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(c)(3) and 3–823(i) and (j)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–823(k)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(d) and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Commissioners – Jurisdiction

FOR the purpose of authorizing a District Court commissioner to exercise the powers of that office in any county to which the commissioner is assigned by the Chief Judge of the District Court or a designee of the Chief Judge of the District Court; authorizing the Chief Judge of the District Court or a designee of the Chief Judge of the District Court to assign a commissioner to serve temporarily in any county; repealing certain limitations on an assignment of a county commissioner; repealing certain provisions relating to the powers of certain administrative or supervisory commissioners in multicounty districts; making a stylistic change; and generally relating to the powers and duties of District Court commissioners.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–607
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant

FOR the purpose of authorizing a circuit court to end a period of probation at any time, issue a warrant or give notice in connection with a violation of probation, remand or release a probationer or defendant pending a hearing of a violation of probation, and, on a finding of violation, revoke probation or suspension of sentence and impose a certain sentence; altering a requirement that the District Court issue a warrant or give notice of a hearing on violation of probation during the period of probation; requiring that a certain hearing date be timely; making stylistic changes; and generally relating to a proceeding in the District Court or circuit courts for a violation of a condition of probation or suspension of sentence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure

Section 6-223
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 60 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Britt, Colburn, Conway, Currie, Della, Edwards, Exum, Forehand, Garagiola, Glassman, Greenip, Jacobs, Kasemeyer, King, Kramer, Lenett, McFadden, Middleton, Miller, Mooney, Munson, Muse, Pugh, Raskin, Rosapepe, Stone, and Zirkin

AN ACT concerning

Identity Fraud – Felony or Violations Involving Repeat Offender, Fiduciary, or Vulnerable Adult – Penalties

FOR the purpose of increasing the penalty for a person who commits identity fraud where the benefit, credit, good, service, or other thing of value that is the subject of the offense has a value of \$500 or greater; increasing the penalty for a person who commits identity fraud under circumstances that reasonably indicate that the person's intent was to manufacture, distribute, or dispense another individual's personal identifying information without that individual's consent; providing an enhanced penalty for a person who commits identity fraud while serving as a fiduciary for the victim; providing an enhanced penalty for a person who commits identity fraud in circumstances in which the victim is a vulnerable adult; providing an enhanced penalty for a person convicted of the crime of identity fraud who has been convicted previously of identity fraud; defining certain terms; and generally relating to penalties for identity fraud.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8-301(b), (c), (d), and (h)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8-301(a) and (e)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 61 – Senators Kelley, Della, Exum, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Commission to Study the Title Insurance Industry in Maryland

FOR the purpose of establishing the Commission to Study the Title Insurance Industry in Maryland; providing for the membership, staffing, and purposes of the Commission; prohibiting Commission members from receiving compensation for serving on the Commission; requiring the Commission to report to certain persons by a certain date; providing for the termination of this Act; and generally relating to the Commission to Study the Title Insurance Industry in Maryland.

Read the first time and referred to the Committee on Finance.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 22)

ADJOURNMENT

At 11:22 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 14, 2008.

**Annapolis, Maryland
Monday, January 14, 2008
8:00 P.M. Session**

The Senate met at 8:12 P.M.

Prayer by Reverend Ray McDonald, Mount Oak Methodist Church, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 11, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Harris be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 24)

INTRODUCTION OF BILLS

Senate Bill 62 – Harford County Senators

AN ACT concerning

**Harford County – Alcoholic Beverages – Repeal of Class BDR Licenses –
Additional Class B Licenses**

FOR the purpose of repealing in Harford County the Class BDR (deluxe restaurant) beer, wine and liquor license and all of the privileges, location restrictions, requirements, and other provisions associated with the Class BDR license; increasing the maximum number of Class B licenses that may be issued to an individual for the use of certain persons; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(n)(1)
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing

Article 2B – Alcoholic Beverages

Section 6–201(n)(6)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–101(k)(7)(ii) and 9–213(j)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 63 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Cafe License

FOR the purpose of authorizing in Harford County a Class B Cafe beer and wine license; specifying an annual license fee; specifying that the license entitles the holder to sell beer and wine for consumption on and off the premises; specifying that the license is a 7–day license with an on–premises wine tasting privilege for a certain number of days; prohibiting the Liquor Control Board from issuing more than a certain number of cafe licenses; requiring the Liquor Control Board to set a maximum and a minimum seating capacity for certain licenses; authorizing the license to be issued only if certain conditions are met; prohibiting the license from being used for certain purposes; specifying certain hours and days of sale; and generally relating to a Class B Cafe beer and wine license in Harford County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5–201(n)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 5–201(n)(6)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–513
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 64 – Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – YMCA Youth and Family Services Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the YMCA of Metropolitan Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 65 – Senator Brochin

AN ACT concerning

Health Insurance – Small Group Market – Coverage of Child Dependents

FOR the purpose of requiring the Maryland Health Care Commission to include certain coverage of child dependents in the Comprehensive Standard Health Benefit Plan; providing for the application of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to health insurance and coverage of child dependents.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–418
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1207
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1207
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapters 287 and 386 of the Acts of the General Assembly of
2004)

Read the first time and referred to the Committee on Finance.

Senate Bill 66 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – The Powerhouse

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of The East Harbor Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 67 – Senator Della

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City – Peale Museum

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the deadline by which the Board of Trustees of the Baltimore City Historical Society, Inc. may present evidence to the Board of Public Works that a matching fund will be provided; and generally relating to the Maryland Consolidated Capital Bond Loan of 2006 and the Board of Trustees of the Baltimore City Historical Society.

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01(AC) and ZA02(AC)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 68 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – School 33 Art Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Baltimore Office of Promotion and the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 69 – Senators DeGrange, Gladden, and Kramer

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motorcycles – Definition

FOR the purpose of altering the definition of “motorcycle” under the Maryland Vehicle Law; making this Act an emergency measure; and generally relating to the definition of motorcycle under the Maryland Vehicle Law.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–136
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 70 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley,
and Klausmeier**

AN ACT concerning

Natural Resources – Scenic and Wild Rivers Program

FOR the purpose of adding Back River to the list of rivers included in the Scenic and Wild Rivers Program; clarifying a certain definition; and generally relating to the Scenic and Wild Rivers Program.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–402
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 71 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Parks & People Headquarters at Auchentoroly Terrace

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of Parks & People, The Foundation for Baltimore Recreation & Parks, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 72 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – The Trinity Family Life Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$430,000, the proceeds to be used as a grant to the Board of Directors of The Trinity Family Life Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the loan proceeds or the matching fund from being used for sectarian religious

purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 73 – Senators Kelley, Brochin, Madaleno, McFadden, Munson, Raskin, and Stone

AN ACT concerning

Election Law – Rotation of Candidates Names on the Ballot

FOR the purpose of requiring that the names of certain candidates be listed on the ballot in accordance with certain regulations adopted by the State Board of Elections; requiring the regulations to include a protocol for the rotation of the names of certain candidates; providing that this Act applies to each election beginning with the primary and general elections held in a certain year; and generally relating to the rotation of candidates names on the ballot.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–210
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 74 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Community Post

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Kingdom Economic System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 75 – Senators Stone, Della, and Jacobs

AN ACT concerning

Criminal Law – Possession of Child Pornography – Enhanced Penalties

FOR the purpose of increasing the age of an individual, a certain depiction of whom in a film, videotape, photograph, or other visual representation may not be knowingly possessed by another; increasing the penalties for possessing a film, videotape, photograph, or other visual representation depicting a minor engaged in certain activity or in a certain state; making the possession of child pornography a felony; creating a mandatory minimum penalty for possession of child pornography; prohibiting a court from imposing less than certain mandatory minimum penalties; prohibiting a court from suspending part of a certain minimum sentence for a person convicted of possessing a certain visual representation unless certain conditions are met; prohibiting a court from suspending part of a certain minimum sentence for a subsequent conviction of a person for possessing a certain visual representation; providing that a person convicted of a certain felony or a subsequent conviction of a certain felony is not eligible for parole for a certain period of time; providing that each individual visual representation may be charged in a separate count; providing an affirmative defense to a charge of possession of child pornography under certain circumstances; altering the definition of “sexual conduct” for purposes of certain child pornography provisions to include displaying the genitals of an individual for purposes of sexual arousal or gratification; altering the definition of “offender” to require registration as an offender for a conviction of the possession of child pornography; and generally relating to child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–201(f) and 11–208
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(d)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 76 – Senators Conway, Della, Exum, Gladden, Jones, Kelley, McFadden, Pinsky, Pugh, and Raskin

AN ACT concerning

Criminal Procedure – Custodial Interrogation – Electronic Recordation

FOR the purpose of establishing that it is the public policy of the State that custodial interrogations of criminal suspects be recorded whenever practicable; requiring that an electronic recording be made of certain custodial interrogations except under certain circumstances; establishing that the State shall bear the burden of proving, by a preponderance of the evidence, that a certain exception to the requirement to record a custodial interrogation is applicable; requiring the State to file a certain notice under certain circumstances; requiring the notice to contain certain information; requiring the recording of the making and signing of a certain writing under certain circumstances; requiring a court to make a certain finding under certain circumstances; exempting recordings made in accordance with this Act from certain provisions of law; defining certain terms; providing that the Governor's Office of Crime Control and Prevention shall work with State and local law enforcement agencies to ensure that the State secures certain funding and develop a program to assist the agencies in funding compliance with this Act; providing for the application of this Act; providing for a delayed effective date; and generally relating to custodial interrogations of certain individuals.

BY adding to

Article – Criminal Procedure

Section 2–401 and 2–402 to be under the new subtitle “Subtitle 4. Custodial Interrogation”

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 77 – Senators Kelley, Colburn, Conway, Della, Exum, Madaleno, McFadden, Pinsky, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Education – Children in Informal Kinship Care Relationships

FOR the purpose of requiring a superintendent of schools of a county to allow a child to attend a public school in a school attendance area other than the school in the school attendance area where the child is domiciled with the child's parent or legal guardian if the child lives with a relative in the school attendance area in an informal kinship care relationship due to a serious family hardship; and generally relating to children who live with relatives who provide informal kinship care due to a serious family hardship.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–101

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 78 – Senators Kelley, Colburn, Conway, Currie, Exum, McFadden, Muse, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Task Force to Study System Variables That Impact Student Achievement in Underperforming Public Schools

FOR the purpose of establishing the Task Force to Study System Variables That Impact Student Achievement in Underperforming Public Schools; providing for the membership, purposes, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to certain reimbursement for certain expenses under certain regulations in the State budget; requiring the Task Force to study education system variables that impact student achievement in underperforming public schools; requiring the Task Force to submit a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study System Variables That Impact Student Achievement in Underperforming Public Schools.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 79 – Senators Kelley, Della, Exum, Garagiola, Klausmeier, and Pugh

AN ACT concerning

Credit Unions – Deposits of State and Local Government Money

FOR the purpose of authorizing certain local governmental units to deposit unexpended or surplus money in certain accounts with certain federally insured credit unions; requiring that certain collateral be given as security for deposits made by certain local governmental units in certain federally insured credit unions; authorizing certain local governmental units to deposit unexpended or surplus money in certain credit unions without certain collateral under certain circumstances; expanding a certain definition of “deposit insurance” to include the National Credit Union Share Insurance Fund; expanding a certain definition of “financial institution” to include certain credit unions; expanding the types of financial institutions that the State Treasurer is authorized to designate as a depository for State money to include certain credit unions; making stylistic changes; and generally relating to credit unions and deposits of State and local government money.

BY repealing and reenacting, with amendments,
Article 95 – Treasurer
Section 22 and 22–O
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–201
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 25)

ADJOURNMENT

At 8:37 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 15, 2008 in memory of Senator Gwendolyn T. Britt.

**Annapolis, Maryland
Tuesday, January 15, 2008
10:00 A.M. Session**

The Senate met at 10:21 A.M.

Prayer by Pastor Cynthia Moore–Valentine.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 14, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Zirkin be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 28)

INTRODUCTION OF BILLS

Senate Bill 80 – Senators Klausmeier, Mooney, and Stone

AN ACT concerning

**Radio Communications – Regulation of Amateur Radio Equipment –
Limitations**

FOR the purpose of requiring local zoning authorities to comply with certain federal regulations governing amateur radio service; prohibiting certain homeowners associations from restricting or prohibiting the design, placement, screening, height, or use of certain amateur radio equipment; prohibiting certain homeowners associations from amending certain governing documents under certain circumstances; requiring certain homeowners associations to provide certain written notice to their lot owners within a certain period of time; defining a certain term; and generally relating to the regulation of amateur radio equipment.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02, 2.13, and 4.01(b)(1)

Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article 66B – Land Use
Section 4.01(b)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property
Section 11B–111.6
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 81 – Senators Klausmeier, Colburn, Greenip, and Jacobs

AN ACT concerning

Public Institutions of Higher Education – Textbook Fairness Act

FOR the purpose of requiring the governing board of a public institution of higher education to notify students of the textbooks assigned for certain courses on the website of the institution at a certain time; requiring that the notification contain certain information; prohibiting an employee of a public institution of higher education from receiving certain benefits in exchange for requiring students to purchase certain textbooks; providing for the scope of this Act; and generally relating to textbooks assigned for courses at public institutions of higher education.

BY adding to

Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 82 – Senators Klausmeier, Colburn, and Kelley

AN ACT concerning

State Lottery – Compulsive Gambling Grants

FOR the purpose of establishing a special fund to provide grants to address the problem of compulsive gambling in the State; requiring that the Secretary of Health and Mental Hygiene issue certain grants to address the problem of compulsive gambling in the State; establishing the purpose of a certain pilot project; specifying the use of certain funds for certain services; providing for the termination of this Act; and generally relating to the State lottery and compulsive gambling in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–803 and 19–804
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 83 – Senators Klausmeier and Colburn

AN ACT concerning

Commission on Gambling Addiction

FOR the purpose of establishing a Commission on Gambling Addiction in the Department of Health and Mental Hygiene; providing for the membership, terms, quorum, and meetings of the Commission; providing Commission members with reimbursement for expenses under certain circumstances; specifying that the purpose of the Commission is to study the effects of individuals who are addicted to gambling, to measure the cost of gambling addiction, and to propose certain solutions; authorizing the Commission to consult with certain units of State government and establish certain committees or task forces; requiring the Commission to develop certain plans and studies, promote collaboration and coordination with certain programs, and perform certain other tasks; requiring the Commission to submit a certain report to the Governor and the General Assembly by a certain date; providing for the staggering of the terms of certain members of the Commission; defining a certain term; and generally relating to the Commission on Gambling Addiction.

BY adding to
Article – Health – General
Section 19–805

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Proposed Amendment to Senate Rule 37 (Haines)

SR0037/213928/1

BY: Senator Haines

AMENDMENT TO SENATE RULE 37

ORDERED by the Senate of Maryland, that Senate Rule No. 37, as adopted by the Senate for the 2008 Session, be and it is hereby repealed and readopted, with amendments, to read as follows:

37. Consideration of Bills and Resolutions.

(A) Each committee shall consider each bill and resolution referred to it.

(B) (1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, IN EACH REGULAR SESSION OF THE GENERAL ASSEMBLY, A MEMBER MAY DESIGNATE ONE BILL THAT WAS INTRODUCED BY THAT MEMBER IN THAT SESSION AND REFERRED TO A STANDING COMMITTEE AS THAT MEMBER'S PRIORITY SPONSORSHIP BILL.

(2) A BILL IDENTIFIED AS A MEMBER'S PRIORITY SPONSORSHIP BILL SHALL BE GUARANTEED A HEARING IN AND A FINAL RECORDED VOTE BY THE COMMITTEE TO WHICH IT WAS REFERRED DURING THE SESSION IN WHICH THE DESIGNATION OF PRIORITY SPONSORSHIP WAS MADE.

(3) A MEMBER MAY NOT TRANSFER TO ANOTHER MEMBER THE PRIVILEGE GRANTED BY PARAGRAPH (1) OF THIS SUBSECTION.

(4) THE DESIGNATION OF A PRIORITY SPONSORSHIP BILL BY A MEMBER IS IRREVOCABLE.

Senator Klausmeier moved, duly seconded, to make the Rule a Special Order for January 16, 2008.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 29)

ADJOURNMENT

At 10:40 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 16, 2008.

**Annapolis, Maryland
Wednesday, January 16, 2008
10:00 A.M. Session**

The Senate met at 10:19 A.M.

Prayer by The Reverend Bob Wickizer, St. Anne's Episcopal Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 15, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Edwards, Munson, and Zirkin be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 32)

INTRODUCTION OF BILLS

Senate Bill 84 - Senator Pipkin

AN ACT concerning

State Government - Public Benefits and Services - Illegal Aliens

FOR the purpose of prohibiting the State from authorizing or providing certain public benefits or services to illegal aliens in the State; defining a certain term; and generally relating to prohibiting the provision of certain public benefits and services to illegal aliens in the State.

BY adding to

Article - State Government

Section 20-101 to be under the new title "Title 20. Prohibition of State Assistance to Illegal Aliens"

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 85 – Senator Glassman

AN ACT concerning

School Construction – State Superintendent Approval – Exemption

FOR the purpose of exempting certain school construction projects funded without State funds from the requirement of approval by the State Superintendent of Schools; and generally relating to the exemption of school construction projects from State Superintendent approval.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–303(f) and 4–115(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 86 – Senator Brochin

AN ACT concerning

**Crimes – Possession of Controlled Dangerous Substances – Penalties –
Distribution to County Residential Drug Abuse Treatment Services Funds**

FOR the purpose of altering the penalties for crimes relating to the possession of certain controlled dangerous substances; establishing certain minimum and maximum fines for certain possession of controlled dangerous substances crimes; prohibiting a court from imposing less than a certain minimum fine except under certain circumstances; requiring a court to reduce the fine and impose community service if the court makes certain findings; requiring the clerks of the District Court to remit certain fines to the counties to be distributed into certain funds established in each county; requiring the circuit courts to distribute certain fines to certain funds; requiring each county to establish a county residential drug abuse treatment services fund in the county; providing for the purpose of the fund; providing that the money in the fund may be used only for certain purposes; specifying that the fund is a special, nonlapsing fund; providing for the composition of the fund; requiring the chief financial officer for a county to account for the fund and invest the money in the fund in a certain manner; specifying that certain earnings shall be paid into the fund; providing that each fund is subject to audit by the State or county; providing that certain disbursements from a fund supplement and may not substitute for other funds appropriated in the State or county budget for certain

purposes; requiring the chief financial officer for a county to pay out money from the fund as approved in the county budget; defining a certain term; and generally relating to county residential drug abuse treatment services funds in the counties.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–302(a) and 7–507(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 7–302(g) and 7–507(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 8–1101 through 8–1104 to be under the new subtitle “Subtitle 11.
County Residential Drug Abuse Treatment Services Funds”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 87 – Senators Kelley, Colburn, Conway, Currie, Della, Forehand,
Jacobs, Lenett, Muse, Raskin, and Stone**

AN ACT concerning

Maryland Uniform Power of Attorney Act

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the Maryland Uniform Power of Attorney Act; establishing certain exceptions to the application of this Act; establishing that a power of attorney created under this Act is durable unless the power of attorney contains a certain provision; requiring a power of attorney to be signed by the principal or a certain other individual; providing that the signature on a power of attorney is presumed genuine under certain circumstances; providing for the validity of certain powers of attorney under certain circumstances; providing

that a certain photocopy or electronically transmitted copy of an original power of attorney has a certain effect; providing for the meaning and effect of a certain power of attorney in certain circumstances; authorizing a principal, in a power of attorney, to make a certain nomination; requiring a court to make a certain appointment; establishing the accountability of a certain agent under certain circumstances; establishing that, with certain exceptions, a certain court appointment does not terminate a power of attorney; establishing that a power of attorney is effective under certain circumstances; authorizing a principal in a power of attorney to authorize certain persons to make a certain determination; establishing that a certain power of attorney may become effective on a certain determination by a certain individual; establishing certain circumstances under which a certain person may act as the principal's personal representative for certain purposes; establishing certain circumstances under which a power of attorney terminates; providing that a certain agent's authority remains exercisable, notwithstanding certain circumstances; establishing that the termination of an agent's authority or a power of attorney is not effective as to certain persons under certain circumstances; establishing that certain persons are bound by certain acts; establishing that the incapacity of a certain principal in a power of attorney does not have a certain effect; establishing that the execution of a power of attorney does not revoke a previously executed power of attorney, with certain exceptions; authorizing a principal in a power of attorney to designate a certain number of coagents for certain purposes; authorizing a principal in a power of attorney to make certain designations and grant a certain authority; establishing the authority of a certain successor agent in certain circumstances; limiting the liability of a certain agent for the actions of another agent in certain circumstances; requiring a certain agent with certain knowledge to take certain actions; establishing liability of a certain agent for failure to take certain actions in certain circumstances; establishing the entitlement of a certain agent to a certain reimbursement in certain circumstances; providing for the acceptance of a certain appointment by an agent under certain circumstances; requiring a certain agent that has accepted a certain appointment to act in a certain manner; providing for the liability of a certain agent under certain circumstances; establishing that a certain agent is not required to disclose certain information, with certain exceptions; requiring a certain agent to comply with a certain request within a certain time period, under certain circumstances; establishing that a certain provision in a power of attorney is binding on certain persons; authorizing certain persons to petition a court for certain purposes; requiring a court to dismiss a certain petition; providing for the liability of a certain agent for a certain amount; authorizing a certain agent to resign by giving a certain notice; authorizing a certain person to rely on a certain presumption concerning a certain signature; authorizing a certain person to rely on a certain power of attorney; authorizing a certain person to request and rely on a certain certification, translation, or opinion, without further investigation; establishing that a certain person is without actual knowledge of a certain fact under certain circumstances; requiring a person to either accept a certain power of attorney or request a certain certification, translation, or opinion of counsel within a certain period after

presentation of the power of attorney, except under certain circumstances; requiring a person to accept a certain power of attorney within a certain period after receiving the certification, translation, or opinion of counsel, except under certain circumstances; prohibiting a person from requiring a certain additional or different power of attorney under certain circumstances; providing that a person that refuses to accept a certain power of attorney in violation of this Act is subject to a certain court order and liability for certain fees and costs incurred in a certain action; establishing that this Act does not supersede and is controlled by certain other laws; authorizing a certain agent to do certain acts only under certain circumstances; prohibiting an agent that is not an ancestor, spouse, or descendent of the principal from exercising a certain authority; providing that a certain power of attorney provides a certain agent with certain authority; subjecting a certain grant of authority to certain limitations of this Act; providing for a certain controlling authority under certain circumstances; establishing certain circumstances under which a certain authority is exercisable with respect to certain property; establishing that a certain act performed by a certain agent has a certain effect and inures to the benefit of and binds certain persons; establishing that a certain agent has authority described in this Act under certain circumstances; providing that a certain reference in a power of attorney incorporates a certain provision of this Act as if set out in full; authorizing a certain principal to modify a certain authority; providing that a principal, by executing a certain power of attorney, authorizes an agent to do certain acts; establishing that certain language authorizes a certain agent to do certain acts; establishing that certain language in a power of attorney, subject to the terms of a certain document or agreement, authorizes the agent to do certain acts; establishing that certain language in a power of attorney authorizes the agent to do only certain acts; establishing that a document substantially in a certain form may be used to create a certain statutory form power of attorney; establishing that a certain optional form may be used by an agent to certify certain facts concerning a power of attorney; authorizing the use of the title of this Act in certain circumstances; requiring that, in applying and construing this Act, a certain consideration be given; establishing that this Act modifies, limits, and supersedes a provision of a certain federal law, but not certain other provisions; providing for the application of this Act; defining certain terms; and generally relating to powers of attorney.

BY repealing

Article – Estates and Trusts

Section 13–601 through 13–603 and the subtitle “Subtitle 6. Powers of Attorney”

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY adding to

Article – Estates and Trusts

Section 17–101 through 17–404 to be under the new title “Title 17. Maryland Uniform Power of Attorney Act”

Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 88 – Senator Edwards

AN ACT concerning

Allegany County – Workers’ Compensation – Students in Unpaid Work–Based Learning Experiences

FOR the purpose of authorizing the Allegany County Board of Education to waive the requirement that a participating employer reimburse the county for the cost of certain workers’ compensation insurance coverage for students placed in unpaid work–based learning experiences; and generally relating to the waiver of workers’ compensation reimbursement in connection with unpaid work–based learning experiences.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–114
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–228(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 89 – Senators Middleton and Dyson

AN ACT concerning

Creation of a State Debt – Charles County – Lions Camp Merrick

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of Lions Camp Merrick, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 90 - The President and the Speaker (By Request - Administration)

A BILL ENTITLED

Budget Bill

(Fiscal Year 2009)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2009, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 91 - The President (By Request - Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2008

FOR the purpose of altering a certain fee assessed for the Drinking Driver Monitor Program; repealing the termination of a certain fee; altering a requirement that the State budget include a certain appropriation to pay rent to counties for certain space occupied by clerks of the circuit courts; altering the calculation of certain State aid to private institutions of higher education; altering the calculation of certain State aid to libraries; authorizing the use of certain funds for the Medical Assistance Program and the Health Care Coverage Fund; authorizing the Governor to transfer to the General Fund certain amounts from a certain special fund for a certain fiscal year; making the provisions of this Act severable; and generally relating to the financing of State government.

BY repealing and reenacting, with amendments,
Article - Correctional Services
Section 6-115(b) and (c)
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article - Courts and Judicial Proceedings
Section 1-504
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 17–104(a), 23–205(c), and 23–503(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–804(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 19–804(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 92 – Senators Raskin, Frosh, Kelley, King, Kittleman, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Robey, Simonaire, Stoltzfus, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Youth Voter Registration and Participation in Elections

FOR the purpose of authorizing certain citizens who are less than 18 years old to register to vote; authorizing certain citizens who are less than 18 years old to vote in certain elections under certain circumstances; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article I – Elective Franchise
Section 1

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 93 – Senators Brochin, Greenip, Harris, and Stone

AN ACT concerning

Vehicle Laws – Drivers’ Licensing of Illegal Aliens – Restrictions

FOR the purpose of prohibiting, in order to facilitate compliance with the federal Real ID Act, the Motor Vehicle Administration from issuing a new driver’s license to an individual who cannot provide certain documentation certifying that the individual is lawfully present in the United States in accordance with federal law, except under certain circumstances; authorizing the Administration to issue a new driver’s license under certain circumstances to an individual whose documentation certifying lawful presence in the United States has expired; providing that a license issued under certain circumstances expires after a certain time period; prohibiting the Administration from issuing to a certain individual a driver’s license that has a certain effective term; authorizing the Administration to renew for certain periods the driver’s license of an individual not lawfully present in the United States under certain circumstances; and generally relating to drivers’ licenses and individuals who are not lawfully present in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 94 – Senators Miller, Currie, Britt, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George’s County – Property Tax Credits – Agricultural Land Preservation Programs

FOR the purpose of requiring the governing body of Prince George’s County to grant a property tax credit against the county property tax imposed on certain agricultural property; providing for the repayment of certain tax credits under certain circumstances; authorizing the governing body of Prince George’s County to provide procedures and other provisions necessary to enforce the repayment of certain tax credits; providing for the application of this Act; and generally relating to property tax credits for certain agricultural land in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–318(a)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to

Article – Tax – Property
Section 9–318(e)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 95 – Senators Miller, Britt, Currie, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George’s County Agricultural Preservation Easement Program

FOR the purpose of establishing the Prince George’s County Agricultural Preservation Easement Program; providing for the purposes of the Program; requiring the Prince George’s County Planning Board to administer the Program in consultation with the Prince George’s County Soil Conservation District; authorizing the County Council of Prince George’s County to enact certain ordinances relating to agricultural preservation and to delegate certain authority of the Planning Board relating to the Program to the Soil Conservation District; requiring the Board to adopt certain regulations; establishing the Prince George’s County Agricultural Preservation Easement Fund; requiring the Planning Board to administer the Fund; requiring the Board to deposit certain funds into the Fund for certain purposes; requiring the Fund to be used for certain purposes; requiring the Planning Board to solicit and consider the recommendations of the Soil Conservation District when making certain decisions; authorizing the Planning Board to purchase certain easements on certain land that is outside the Maryland–Washington Metropolitan District but is within the Maryland–Washington Regional District in Prince George’s County; authorizing the Planning Board to expend certain current funds for certain purposes; requiring a certain property owner to convey a certain easement to the Planning Board at a certain time and recording a certain easement in the land records; providing that certain provisions of law do not apply to a certain subtitle; authorizing the Prince George’s County Council, sitting as the district council to enact ordinances that create a certain program for the purchase of certain development rights; defining certain terms; and generally relating to the Prince George’s County Agricultural Preservation Easement Program in the Maryland–National Capital Park and Planning Commission.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission

Section 5–501 through 5–507 to be under the new subtitle “Subtitle 5. Prince George’s County Agricultural Preservation Easement Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–101
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 96 – Senators Pugh, Conway, Currie, Della, Forehand, Gladden, Klausmeier, Madaleno, McFadden, Peters, and Stone

AN ACT concerning

Education – Truancy Rates – Positive Behavioral Interventions and Support Programs and Behavior Modification Programs

FOR the purpose of requiring a county board of education to require certain schools with certain truancy rates to implement a positive behavioral interventions and support program or certain behavior modification programs in collaboration with the State Department of Education under certain circumstances; requiring certain schools to expand certain programs under certain circumstances; and generally relating to the requirement that certain schools implement certain programs relating to truancy rates.

BY repealing and reenacting, without amendments,
Article – Education
Section 1–101(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–304.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 97 – Senators Pugh, Conway, Della, Exum, Gladden, Jones, Kelley, Lenett, Madaleno, McFadden, Raskin, and Stone

EMERGENCY BILL

AN ACT concerning

Lead-Containing Products - Prohibition

FOR the purpose of prohibiting the manufacture, sale, offer for sale, importation, or distribution of certain lead-containing children's products or lead-adulterated consumable products; providing that certain provisions of this Act do not apply to certain electronic devices; authorizing an agent of the Department of Health and Mental Hygiene to enter certain factories, warehouses, and establishments to inspect certain products at any reasonable time; requiring an agent of the Department to present certain credentials to certain persons under certain circumstances; authorizing an agent of the Department to obtain a sample of any product, package, or labeling during an inspection; requiring an agent of the Department to take certain actions when obtaining a certain sample; requiring the Department to test a certain sample of a product under certain circumstances; requiring the Secretary of Health and Mental Hygiene to make certain declarations if a product is a lead-containing product or a lead-adulterated consumable product; requiring the Department to issue and give certain notices under certain circumstances; requiring a certain person to send certain information to the Department under certain circumstances; requiring a certain person to submit a certain report to the Department under certain circumstances; providing that certain provisions of this Act do not affect the enforcement of certain local laws; establishing certain penalties; defining certain terms; authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations; making this Act an emergency measure; and generally relating to prohibiting lead-containing products.

BY adding to

Article - Health - General

Section 22-601 through 22-609 to be under the new subtitle "Subtitle 6.

Lead-Containing Products"

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 98 - Senators Pugh, Conway, Della, Exum, Jones, Kelley, Lenett, Madaleno, McFadden, and Raskin

AN ACT concerning

Prosthetic Parity Act

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage and payment for prosthetic devices under certain circumstances; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to require prior authorization for coverage of a prosthetic device under certain circumstances; providing that certain covered benefits may be subject to a certain copayment or coinsurance amount; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a certain dollar maximum on coverage for prosthetic devices; repealing a certain requirement for certain health insurance contracts that is rendered inconsistent by this Act; defining certain terms; providing for the application of this Act; and generally relating to health insurance coverage and payment for prosthetic devices.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–820
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 15–843
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 99 – Senator Gladden

AN ACT concerning

Natural Resources – Virtual Environmental Science Center

FOR the purpose of establishing a Virtual Environmental Science Center; establishing the purpose of the Center; establishing the composition and management of the Center; requiring the Center to use certain existing facilities and personnel to carry out certain recommendations; establishing a certain intent that the Center be funded by a Minority Environmental and Land Trust; and generally relating to a Virtual Environmental Science Center.

BY adding to

Article – Natural Resources

Section 3–2B–01 to be under the new subtitle “Subtitle 2B. Virtual Environmental Science Center”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 100 – Senator Gladden

AN ACT concerning

Minority Environmental and Land Trust

FOR the purpose of establishing the Minority Environmental and Land Trust to provide funding and leadership for a certain purpose; establishing a Board of Trustees; providing for the membership and the terms of membership of the Board of Trustees; establishing certain powers and duties of the Trust; requiring the Trust to make a certain annual report; requiring the Governor to appropriate certain funds to the Trust in a certain manner; requiring certain State agencies to provide certain funds or in-kind services to the Trust in a certain manner; requiring all money received by the Trust to be deposited and invested in a certain manner; requiring the Trust to establish a system of financial accounting, controls, audits, and reports; exempting the Trust from certain provisions of law; and generally relating to the Minority Environmental and Land Trust.

BY adding to

Article – Natural Resources

Section 3–2B–01 through 3–2B–06 to be under the new subtitle “Subtitle 2B. Minority Environmental and Land Trust”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 101 – Senator Gladden

AN ACT concerning

Real Property – Homeowners Associations – Amendment of Governing Documents

FOR the purpose of authorizing the governing documents of a homeowners association to be amended by a certain percentage of votes and at a certain frequency, unless the governing document provides for a lower percentage and a greater frequency; defining a certain term; and generally relating to amendment of the governing documents of a homeowners association.

BY renumbering

Article – Real Property

Section 11B–116

to be Section 11B–117

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property

Section 11B–116

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 102 – Senator Gladden

AN ACT concerning

Hospitals and Nursing Facilities – Health Care–Associated Infections Prevention and Control Program

FOR the purpose of requiring hospitals and nursing facilities to establish a certain health care–associated infections prevention and control program; requiring the Department of Health and Mental Hygiene, in consultation with certain groups and stakeholders, to develop a certain system regarding the reporting of certain health care–associated infections; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to hospitals and nursing facilities and health care–associated infections.

BY adding to

Article – Health – General

Section 19–308.9

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 103 – Senator Frosh

AN ACT concerning

Maryland Uniform Interstate Depositions and Discovery Act

FOR the purpose of enacting the Maryland Uniform Interstate Depositions and Discovery Act; establishing procedures for requesting and issuing certain subpoenas; providing for the service of certain subpoenas; establishing that certain Maryland Rules apply to certain subpoenas; requiring that an application for a protective order or to enforce, quash, or modify certain subpoenas comply with certain rules and statutes and be filed in a certain court; requiring certain consideration to be given in applying and construing this Act; defining certain terms; repealing existing provisions of law relating to foreign depositions; providing for the application of this Act; and generally relating to interstate depositions and discovery.

BY repealing

Article – Courts and Judicial Proceedings

Section 9–401 through 9–403 and the subtitle “Subtitle 4. Foreign Depositions”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 9–401 through 9–407 to be under the new subtitle “Subtitle 4.

Maryland Uniform Interstate Depositions and Discovery Act”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 104 – Senator Stoltzfus

AN ACT concerning

Working Waterfront Commission – Reporting and Sunset Extension

FOR the purpose of altering the date by which the Working Waterfront Commission must make a certain report; altering the termination date of the Commission; and generally relating to the Working Waterfront Commission.

BY repealing and reenacting, with amendments,

Chapter 30 of the Acts of the General Assembly of 2007

Section 1 and 2

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 105 – Senator Astle

AN ACT concerning

**Maryland Automobile Insurance Fund – Authority of Commissioner to
Impose Penalties and Restitution**

FOR the purpose of authorizing the Maryland Insurance Commissioner to impose a certain penalty on the Maryland Automobile Insurance Fund for a violation of the Insurance Article; authorizing the Commissioner to require the Fund to make restitution to a certain person under certain circumstances; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–113(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–201
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 106 – Senator Astle

AN ACT concerning

Natural Resources – Environmental Trust Fund – Uses

FOR the purpose of expanding the uses of the Environmental Trust Fund to include grants to certain counties for certain purposes; removing obsolete language; making stylistic changes; and generally relating to the uses of the Environmental Trust Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–302
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 107 – Senators Klausmeier and Stone

AN ACT concerning

Education – Baltimore County – Public School Employee Units

FOR the purpose of increasing the number of units that may be designated by the public school employer in Baltimore County that relate to organizations of certain employees in Baltimore County; establishing a certain unit of certain employees in Baltimore County; altering a certain unit of certain employees in Baltimore County by providing a certain exception; making a technical change; and generally relating to organizations for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–404 and 6–505(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 6–501(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

INTRODUCTION OF JOINT RESOLUTIONS**Senate Joint Resolution 2 – Senators Rosapepe, Peters, and Pinsky**

A Senate Joint Resolution concerning

Henry A. Wallace Beltsville Agricultural Research Center and the National Agricultural Library

FOR the purpose of describing and expressing the support of the Maryland General Assembly for the research and education programs of the Henry A. Wallace Beltsville Agricultural Research Center (BARC) and the National Agricultural Library (NAL); urging the Governor to request increased funding for BARC and NAL; and generally relating to BARC and NAL in Prince George's County.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Joint Resolution 3 – Senators Klausmeier, Brochin, and Kittleman

A Senate Joint Resolution concerning

Establishing Nurse Anesthetists Week

FOR the purpose of establishing the period of January 20, 2008, through January 26, 2008, as Nurse Anesthetists Week in recognition of the importance of Certified Registered Nurse Anesthetists and their role in providing quality health care for the public; and generally relating to the establishment of Nurse Anesthetists Week.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Proposed Amendment to Senate Rule 37

SR0037/213928/1

BY: Senator Haines

AMENDMENT TO SENATE RULE 37

ORDERED by the Senate of Maryland, that Senate Rule No. 37, as adopted by the Senate for the 2008 Session, be and it is hereby repealed and readopted, with amendments, to read as follows:

37. Consideration of Bills and Resolutions.

(A) Each committee shall consider each bill and resolution referred to it.

(B) (1) **NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, IN EACH REGULAR SESSION OF THE GENERAL ASSEMBLY, A MEMBER MAY DESIGNATE ONE BILL THAT WAS INTRODUCED BY THAT MEMBER IN THAT SESSION AND REFERRED TO A STANDING COMMITTEE AS THAT MEMBER’S PRIORITY SPONSORSHIP BILL.**

(2) A BILL IDENTIFIED AS A MEMBER'S PRIORITY SPONSORSHIP BILL SHALL BE GUARANTEED A HEARING IN AND A FINAL RECORDED VOTE BY THE COMMITTEE TO WHICH IT WAS REFERRED DURING THE SESSION IN WHICH THE DESIGNATION OF PRIORITY SPONSORSHIP WAS MADE.

(3) A MEMBER MAY NOT TRANSFER TO ANOTHER MEMBER THE PRIVILEGE GRANTED BY PARAGRAPH (1) OF THIS SUBSECTION.

(4) THE DESIGNATION OF A PRIORITY SPONSORSHIP BILL BY A MEMBER IS IRREVOCABLE.

QUESTION IS ON THE ADOPTION OF THE AMENDMENT TO SENATE RULE 37 OFFERED BY SENATOR HAINES.

The motion was rejected by roll call vote as follows:

Affirmative – 11 Negative – 31 (See Roll Call No. 33)

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senator Klausmeier moved, duly seconded, to adopt Senate Rule 116.

Rule 116 was adopted by roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 34)

MESSAGE FROM THE EXECUTIVE

January 16, 2008

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401-1991

Dear Mr. President:

Please accept these appointments as a supplemental list to the 2007 Recess Appointments as an addendum to the January 9, 2007 submission. It is a pleasure to submit the following nominations for confirmation by the Maryland State Senate. I trust you will find the individuals to be well qualified and highly deserving of your support for the offices in which they will serve.

Carroll County Board of Elections

Pauline L. Kram

Appointment, Majority Party Member
Term of four years from the first Monday in June, 2007
Appointed June 4, 2007

Calvert County Board of Elections

Donato M. Williams

Appointment, Majority Party Substitute
The remainder of a term of four years from the first Monday in June, 2007
Appointed November 6, 2007

James C. Fisk

Appointment, Minority Party Substitute
Term of four years from the first Monday in June, 2007
Appointed June 4, 2007

Dorchester County Board of Elections

Thomas M. Corkran

Appointment, Majority Party Member
Term of four years from the first Monday in June, 2007
Appointed June 4, 2007

William E. Batson

Appointment, Majority Party Member
Term of four years from the first Monday in June, 2007
Appointed June 4, 2007

Garrett County Board of Elections

Betty M. Pritt

Appointment, Majority Party Member
Term of four years from the first Monday in June, 2007
Appointed June 4, 2007

Queen Anne's County Board of Elections

Brenda R. Williams

Appointment, Majority Party Member
Term of four years from the first Monday in June, 2007

Appointed June 4, 2007

Biographical information has been provided and we will be pleased to furnish any additional information helpful to your review. Your favorable consideration of these nominations is appreciated.

Sincerely,

Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 35)

ADJOURNMENT

At 10:50 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 17, 2008.

**Annapolis, Maryland
Thursday, January 17, 2008
10:00 A.M. Session**

The Senate met at 10:05 A.M.

Prayer by The Reverend Angel Berrios, Assembly of God Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 16, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 37)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
National Federation of the Blind	Senator Conway	56

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 38)

Recipient	Sponsor	Resolution No.
Senator Gwendolyn Britt	The President and All Members	85

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 39)

ADDRESS

Remarks by Governor Martin O'Malley in memory of Senator Gwendolyn T. Britt

Thank you, President Miller, and the members of the Senate for gathering here today to honor the memory of Senator Gwendolyn Britt.

To Mr. Britt, Travis Jr. and John, to her 5 grandchildren, her sisters Victoria and Cornelia, and all her friends and family, please know that Gwen was deeply loved throughout our State.

She was one of the strongest and classiest senators that ever walked these floors. But Gwendolyn Britt was a leader long before her years in the Senate.

Even at a young age, she always stood for what she knew was right, not just for herself, but for those who were meek; who suffered under the intolerance of others.

She was a Freedom Rider at a time when it was dangerous to speak out for civil rights. She was arrested and jailed because she was compelled to stand up to a long legacy of injustice.

Senator Britt worked hard her entire life. She may have been soft spoken and easygoing, but she was passionate about helping others, and worked hard for Prince George's County. She hungered for the opportunity for something more for our people.

She was an invaluable part of Maryland's legislature – using her unmatched intellect and experience in activism to make compassionate choices for her district.

For 5 years she worked tirelessly to improve public education and health care in our state to make sure that children were given the opportunities that they deserved in life.

She became a voice for those who needed it the most. For those who were poor in spirit and in stature, fighting for the rights of domestic violence victims.

Most importantly, she carried on her unshakable belief in the dignity of every individual, regardless of race, class, or place.

Senator Britt will always remind us that there is a unity to spirit and to matter, and that what we do in our lifetimes does, in fact matter.

And as the Disciple Matthew reminds us, "Blessed are the peacemakers...for theirs is the kingdom of Heaven."

We will always be grateful to Gwendolyn Britt for her courage and her spirit.

Thank you.

Remarks by Senator Delores Kelley

Remarks by Senator Nathaniel Exum

Remarks by Senator Lisa Gladden

Remarks by Senator Jennie Forehand

Remarks by Senator David Brinkley

Remarks by Senator Verna Jones

Remarks by Senator Joan Conway

Remarks by Senator Allan Kittleman

Prayer by Senator C. Anthony Muse

Remarks by President Thomas V. Mike Miller, Jr.

INTRODUCTION OF BILLS

Senate Bill 108 – Senators Frosh, Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Group Home Renovations

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 109 – Senators Frosh, Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Imagination Stage

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of Imagination Stage for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 110 – Senators Frosh, Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Suburban Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$410,000, the proceeds to be used as a grant to the Board of Directors of Suburban Hospital, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 111 – Senators Mooney, Haines, Jacobs, Kittleman, McFadden, Munson, Simonaire, and Stone

AN ACT concerning

Hate Crimes – Prohibitions and Protected Classes – Homeless Persons and Groups

FOR the purpose of including homeless persons within the scope of certain prohibitions against committing certain crimes against certain persons, damaging certain property of certain persons, burning certain objects, and damaging certain buildings with which certain persons or groups have contacts or associations or under circumstances exhibiting animosity against a certain person or group; defining a certain term; and generally relating to hate crimes against homeless persons.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–301, 10–304, and 10–305
Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 112 – Senator Pipkin

AN ACT concerning

Criminal Procedure – Undocumented Immigrants – Prohibition on Pretrial Release

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who cannot provide documentation acceptable to the Department of Public Safety and Correctional Services certifying that the individual is lawfully present in the United States in accordance with federal law; and generally relating to pretrial release.

BY adding to

Article – Criminal Procedure
Section 5–202(f)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 113 – Senators Haines, Brinkley, Colburn, Edwards, Glassman, Harris, Kittleman, Mooney, Munson, Pipkin, Simonaire, and Stoltzfus

AN ACT concerning

Homestead Property Tax Credit – Applications – Use of Social Security Numbers

FOR the purpose of prohibiting the State Department of Assessments and Taxation from requiring homeowner Social Security numbers on applications for qualification for the homestead property tax credit; and generally relating to homestead property tax credits.

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 9–105(d)(6)(i)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–105(d)(6)(ii)

Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 114 – Senators Brochin and Stone

AN ACT concerning

Criminal Procedure – Postconviction Proceeding – Venue

FOR the purpose of altering the venue for a postconviction proceeding; making a technical correction; and generally relating to post conviction proceedings and venue.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 7–102
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 115 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Newborn Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of Newborn Holistic Ministries, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 116 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Conway, Dyson, Exum, Frosh, Gladden, Greenip, Jacobs, King, Klausmeier, Lenett, Miller, Muse, Peters, Pugh, and Raskin

AN ACT concerning

Criminal Law - Mail Theft - Penalty

FOR the purpose of prohibiting a person from knowingly and willfully removing, taking, possessing, obtaining, or receiving mail under certain circumstances without the permission of the United States Postal Service or the intended recipient; providing penalties for a violation of this Act; repealing a certain prohibition against opening a letter without permission that is rendered inconsistent with this Act; providing that a person who violates this Act is subject to a certain statute of limitations and may reserve a point or question for a certain in banc review; defining certain terms; and generally relating to the theft of mail.

BY repealing

Article - Criminal Law
Section 3-905
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to

Article - Criminal Law
Section 7-106.1
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 117 - Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley, and Klausmeier

AN ACT concerning

Baltimore County - State's Attorney - Salary

FOR the purpose of clarifying the salary of the State's Attorney for Baltimore County; providing that the salary be increased annually by a certain amount; and generally relating to the State's Attorney for Baltimore County.

BY repealing and reenacting, without amendments,

Article - Criminal Procedure
Section 15-404(a)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)
(As enacted by Chapter ____ (S.B. 37) of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 15-404(b)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)
(As enacted by Chapter ____ (S.B. 37) of the Acts of the General Assembly of
2008)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 118 – Senator Conway

AN ACT concerning

**Alcoholic Beverages – Beer Manufacturer and Distributor Agreements –
Obligation of Successor Manufacturer**

FOR the purpose of requiring a successor beer manufacturer who violates a certain agreement with a beer distributor to remunerate the beer distributor a sum equal to the fair market value calculated from the date of the violation for the sale of the beer; specifying that a beer distributor or franchisee may bring a certain action against a successor beer manufacturer under certain circumstances to obtain certain remedies; repealing a defined term; defining a certain term; and generally relating to beer manufacturer and distributor agreements.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 21-103
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**Senate Bill 119 – Senators Garagiola, Forehand, Frosh, King, Kramer, Lenett,
Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Button Farm Historic
Preservation and Rehabilitation**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of The Menare Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a

deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 120 – Senator Astle

AN ACT concerning

Anne Arundel County and City of Annapolis – Fire and Explosive Investigations – Deputy Fire Marshal

FOR the purpose of requiring that an Anne Arundel County or City of Annapolis fire and explosive investigator have the rank of deputy fire marshal or higher; and generally relating to fire and explosive investigations in Anne Arundel County and the City of Annapolis.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–208.2
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 121 – Senator Astle

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

FOR the purpose of adding Anne Arundel County to the list of counties that are exempt from limitations on the amount a county may charge for certain fees to obtain a license to operate a food establishment; and generally relating to certain license fees in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–308
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 122 – Senator Astle

AN ACT concerning

Surface Mining - Performance Bond Cap - Repeal

FOR the purpose of repealing a certain cap on the per acre amount of a performance bond required by the Department of the Environment from an applicant for a surface mining permit; requiring the Department to ensure that the amount of the bond is sufficient to ensure compliance with federal and State environmental laws; making certain stylistic changes; and generally relating to repealing a cap on the amount of a performance bond required by the Department of the Environment.

BY repealing and reenacting, with amendments,
Article - Environment
Section 15-823
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 123 - Senator Astle

AN ACT concerning

Anne Arundel County - Department of Detention Facilities Correctional Employees - Polygraph Examinations

FOR the purpose of exempting from the prohibition against an employer requiring or demanding, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a lie detector or similar test, individuals who apply for employment or are employed as correctional officers for the Anne Arundel County Department of Detention Facilities or in any other capacity that involves direct personal contact with an inmate in the Department; and generally relating to the Anne Arundel County Department of Detention Facilities.

BY repealing and reenacting, without amendments,
Article - Labor and Employment
Section 3-702(a) and (c)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article - Labor and Employment
Section 3-702(b)
Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 107 – Senators Klausmeier and Stone

AN ACT concerning

Education – Baltimore County – Public School Employee Units

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 37 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #1

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 7 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 40)

ADJOURNMENT

At 10:51 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 9:00 A.M. on Friday, January 18, 2008 in memory of the Honorable Gwendolyn T. Britt.

**Annapolis, Maryland
Friday, January 18, 2008
9:00 A.M. Session**

The Senate met at 9:06 A.M.

Prayer by The Honorable Katherine Klausmeier.

The Journal of January 17, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Miller, DeGrange, Jacobs, Madaleno, Muse, Stoltzfus and Zirkin be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 39 Members present.

(See Roll Call No. 42)

INTRODUCTION OF BILLS

Senate Bill 124 – Senators Brochin and Stone

AN ACT concerning

Criminal Law – Lawful Interception of Communications – Additional Crimes

FOR the purpose of adding the commission of assault in the first degree and the attempt to commit certain offenses to the offenses for which it is lawful under certain circumstances for an investigative or law enforcement officer or another person acting at the prior direction and under the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of the offense; and generally relating to the interception of communications.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10-402(c)(2)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 10–402(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 125 – Senators Brochin, Madaleno, Pinsky, and Pugh

AN ACT concerning

**Courts – Service of Process – Increase in Sheriff’s Fees – Distribution to
Rental Allowance Program Fund**

FOR the purpose of increasing certain fees for service of process of certain papers by a sheriff; requiring that a certain amount of the fees be distributed to a certain fund established under the Rental Allowance Program of the Department of Housing and Community Development; establishing the Rental Allowance Program Fund; providing for the purpose of the Fund; requiring the Department to administer the Fund; specifying that the State Treasurer shall hold the Fund separately and the State Comptroller shall account for the Fund; specifying that the Fund is a special, nonlapsing fund; providing for the composition of the Fund; specifying that certain earnings shall be paid into the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; providing that the money in the Fund may be used only for certain purposes; defining a certain term; and generally relating to the Rental Allowance Program Fund in the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–402
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–1401
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–1402 through 4–1408
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY adding to

Article – Housing and Community Development
Section 4–1409
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 126 – Senator Gladden

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings – Hillsdale Heights Neighborhood Association Dwellings

FOR the purpose of exempting certain homeowners from a certain filing deadline pertaining to an application for a Baltimore City property tax credit for a certain newly constructed dwelling during a certain time period; and generally relating to a property tax credit in Baltimore City for newly constructed dwellings.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(d)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 127 – Senator Gladden

AN ACT concerning

Hospitals and Nursing Facilities – Staphylococcus Infections – Reporting

FOR the purpose of requiring certain individuals to include certain information on a certificate of death; requiring the Department of Health and Mental Hygiene, in consultation with certain groups and stakeholders, to develop a certain system regarding the reporting of certain staphylococcus infections; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; making certain stylistic changes; and generally relating to hospitals and nursing facilities and staphylococcus infections.

BY repealing and reenacting, with amendments,
Article – Health – General

Section 4-212(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19-308.9
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 128 – Senators Exum, Currie, and Peters

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Appeal of Order to Close
Place of Business**

FOR the purpose of specifying that an appeal from a decision of the Board of License Commissioners of Prince George’s County does not stay an order of the Board to close a place of business that is licensed to sell alcoholic beverages; and generally relating to the Board of License Commissioners of Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 16-101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16-101(b)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 129 – Senators Exum, Currie, Muse, and Peters

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Petition
Requirement**

PG 323-08

FOR the purpose of specifying that the Board of License Commissioners of Prince George's County may consider a petition as a factor in determining whether to take the action sought only if each signature on the petition has been verified by the County Board of Elections as that of a registered voter in the county; and generally relating to the Board of License Commissioners of Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9-217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9-217(n)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 130 – Senators Exum and Currie

AN ACT concerning

Prince George's County – Alcoholic Beverages – Drive-Through Purchase Facilities

FOR the purpose of prohibiting the Board of License Commissioners in Prince George's County from issuing or transferring an alcoholic beverages license for use in a drive-through purchase facility in which alcoholic beverages are sold at retail and dispensed through a door or window to purchasers in or on a motor vehicle; and generally relating to alcoholic beverages sales in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9-217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9-217(n)

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 131 – Senators King, Forehand, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

FOR the purpose of authorizing a municipal corporation to impose a tax on certain charges for sleeping accommodations paid to hotels in the municipal corporation, subject to certain limitations; authorizing a municipal corporation to set the rate of the tax, subject to a certain limitation; authorizing a municipal corporation to provide for the administration and collection of the tax, to provide for additional exemptions from the tax, and to impose penalties for failure to collect, report, or pay the tax; authorizing a county that has the authority to impose a hotel rental tax to impose a lower tax rate for hotels within a municipal corporation that imposes a hotel rental tax; defining certain terms; and generally relating to authorization for a municipal corporation to impose a hotel rental tax.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–608
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 132 – Senators Simonaire, Haines, Jacobs, Mooney, Raskin, and Stone

AN ACT concerning

Real Estate Salespersons – Qualifications for Licensure – Education Requirements

FOR the purpose of including certain types of instruction as satisfying certain education requirements for licensure as a real estate salesperson; and generally relating to the education requirements for licensure as a real estate salesperson.

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions
Section 17–303(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17-303(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 133 – Senator Edwards

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Allegany County and Garrett County – Coal Rights

FOR the purpose of prohibiting regulations and procedures adopted by the Maryland Agricultural Land Preservation Foundation for the establishment and monitoring of agricultural districts from requiring, in Allegany County and Garrett County, a coal rights owner or lessee to subordinate its interest to the Foundation's interest under certain circumstances; requiring that a certain report be submitted by a certain date; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2-509(c)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 134 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Allegany County – Greenway Avenue Stadium

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Allegany County Public Schools Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing

a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 135 – Senators Middleton and Dyson

AN ACT concerning

Creation of a State Debt – Civista Medical Center, Inc.

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Civista Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 136 – Senators Harris, Colburn, and Greenip

AN ACT concerning

Election Law – Qualification of Voters – Proof of Identity

FOR the purpose of requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; requiring an election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter who is unable to present a certain form of identification to vote by provisional ballot under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification; requiring the Motor Vehicle Administration to issue an identification card to certain voters at no charge; and generally relating to proof of identity of voters.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 10–310 and 16–201

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 12–301(a) and (h)

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12-301(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 137 – Senators Brinkley, Astle, Colburn, Edwards, Forehand, Haines, Glassman, Jacobs, Kelley, King, Kittleman, Kramer, Mooney, Munson, Pipkin, Simonaire, and Stoltzfus

AN ACT concerning

Sales and Use Tax – Computer Services – Preexisting Contracts

FOR the purpose of providing that the sales and use tax on computer services does not apply to any computer service provided pursuant to a contract entered into prior to a certain date; and generally relating to the sales and use taxation of computer services.

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2007 Special Session
Section 13

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 138 – Senators Brinkley, Astle, Colburn, Edwards, Forehand, Haines, Glassman, Jacobs, Kittleman, Kramer, Mooney, Munson, Pipkin, and Stoltzfus

AN ACT concerning

Sales and Use Tax – Computer Services

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to repeal the tax on certain computer services; providing certain sales and use tax exemptions relating to certain computer services and certain computer software maintenance contracts; repealing a certain termination date; repealing a certain definition; and generally relating to the repeal of the sales and use tax on certain computer services.

BY repealing

Article – Tax – General
Section 11–101(c–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(m) and 11–219
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2007 Special Session
Section 13

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 139 – Senators Peters, Exum, Muse, and Rosapepe

AN ACT concerning

Prince George’s County Board of Education – Salaries

FOR the purpose of requiring the annual compensation of the Prince George’s County Board of Education members to increase by the same rate that Prince George’s County teacher salaries increase in the same year; providing that this Act does not apply to the salary or compensation of the incumbent chairman or members of the Board; and generally relating to the salaries of members of the Prince George’s County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1003
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 140** through **Senate Bill 149** to be referred immediately to the appropriate committees.

The motion was adopted.

Senate Bill 140 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims

FOR the purpose of requiring the Criminal Injuries Compensation Board to reduce the amount of an award or deny a certain claim if the Board finds that the victim contributed to the victim’s own injury under certain circumstances; repealing a provision authorizing the Board to disregard the responsibility of the victim for the victim’s own injury under certain circumstances; repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge; repealing a provision prohibiting a claimant from receiving an award under certain circumstances; repealing a reference to a certain schedule of benefits as it existed on a certain date and providing that the effective schedule of benefits applies; and generally relating to claims by victims for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–810 and 11–811(a)(1)(i)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 141 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Graduate and Professional Scholarship Program – Qualifications

FOR the purpose of expanding eligibility under the Maryland Graduate and Professional Scholarship Program to include certain students attending certain institutions in the State offering a certain degree program in pharmacy; making a stylistic change; and generally relating to the Maryland Graduate and Professional Scholarship Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–2601(b)
Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 142 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Patuxent Institution – Citizens Advisory Board

FOR the purpose of repealing provisions of law concerning the establishment and duties of the Patuxent Institution Citizens Advisory Board; and generally relating to the repeal of the Patuxent Institution Citizens Advisory Board.

BY repealing

Article – Correctional Services

Section 4–207

Annotated Code of Maryland

(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 143 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Real Estate Commission – Real Estate Salesperson License – Qualifications

FOR the purpose of altering the type of instruction that a real estate salesperson must complete successfully in order to qualify for a real estate salesperson license; and generally relating to the qualifications for a real estate salesperson license.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 17–303

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 144 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

State Board of Cosmetologists – Makeup Artist Services

FOR the purpose of repealing provisions relating to the licensure and regulation of makeup artist services by the State Board of Cosmetologists; and generally relating to the State Board of Cosmetologists.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 5–101(g), (j), (k)(1)(iv), (v), and (vi), (m), and (n), 5–205(b)(4), 5–301(b),
5–305, 5–306, 5–310, 5–313, and 5–501
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**Senate Bill 145 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Maryland Correctional Enterprises – Goods and
Services**

FOR the purpose of removing the prohibition against the sale of services by Maryland Correctional Enterprises; authorizing sales of goods of Maryland Correctional Enterprises to certain individuals; and generally relating to Maryland Correctional Enterprises and goods and services.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–516(a) and (b)
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Higher Education
Commission)**

AN ACT concerning

**Higher Education – Tuition Reduction for Nonresident Nursing Students –
Service Obligation**

FOR the purpose of altering the service obligation for certain nursing students receiving a certain tuition reduction at a public institution of higher education; and generally relating to the tuition reduction program for nonresident nursing students.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–110(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**Senate Bill 147 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Archives, Maryland State)**

AN ACT concerning

State Archives – Records and Other Services – Fees

FOR the purpose of authorizing the State Archivist to establish certain fees for certain purposes; providing that certain fees may be in certain forms; requiring a certain percentage of fees collected to be deposited into a certain fund; requiring the Comptroller to credit certain money to a certain fund; authorizing the Hall of Records Commission to use certain fees to create a certain Endowment Account under certain circumstances; and generally relating to fees established by the State Archivist.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1007 and 9–1013
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 148 – Chair, Finance Committee (By Request – Departmental – Automobile Insurance Fund)

AN ACT concerning

Maryland Automobile Insurance Fund – Uninsured Division – Claims

FOR the purpose of altering the requirements for making a qualifying claim against the Uninsured Division of the Maryland Automobile Insurance Fund to exclude, from those eligible to make a qualifying claim, a beneficiary of a certain self-insurance certificate, an owner or operator of a taxicab that does not have uninsured motorist coverage, a person that owns any registered uninsured motor vehicle, a claimant driving a motor vehicle without a valid certificate of registration, and a claimant that does not hold a valid driver's license; altering a certain definition; and generally relating to claims against the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–601
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 149 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Abuse and Neglect – Definition of Abuse – Clarification

FOR the purpose of altering the definition of “abuse” to clarify that the physical or mental injury of a child by certain persons under certain circumstances constitutes abuse regardless of whether the injury was caused during corporal punishment; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 150 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2008, and the Maryland Consolidated Capital Bond Loans of 1999, 2000, 2002, 2003, 2004, 2005, 2006, and 2007

FOR the purpose of authorizing the creation of a State Debt in the amount of Eight Hundred Seventy Two Million, Ninety Nine Thousand Dollars (\$872,099,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program; repealing a requirement for a certain appropriation; authorizing premiums from the sale of State bonds in certain fiscal years to remain in or be transferred to a certain fund and to be used for certain capital projects under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 212 of the Acts of the General Assembly of 1999, as amended by
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item RP00(A)

BY repealing and reenacting, with amendments,

Chapter 508 of the Acts of the General Assembly of 2000, as amended by
Chapter 204 of the Acts of the General Assembly of 2003, Chapter 46 of
the Acts of the General Assembly of 2006, and Chapter 488 of the Acts of
the General Assembly of 2007
Section 1(3) Item RP00(A)

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by
Chapter 204 of the Acts of the General Assembly of 2003

Section 1(3) Item RD00(A)

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 445 of the Acts of the General Assembly of 2005, and Chapter 46 of the Acts of the General Assembly of 2006

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003
Section 1(3) Item RD00(C) and Item WA01(B)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 46 of the Acts of the General Assembly of 2006

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item DE02.01(J) and Item RB27(E)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, and Chapter 488 of the Acts of the General Assembly of 2007

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA00(AE)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item DE02.01(E), Item UB00(A)(4), and Item ZA00(N)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item WA01(A), Section 12(1), and Section 12(3) Item MJ02(A) and Item ML10(A)

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 39 Members present.

(See Roll Call No. 43)

RECESS

At 9:19 A.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 8:00 P.M. on Monday, January 21, 2008 in memory of Senator Britt.

AFTER RECESS
Annapolis, Maryland
Legislative Day: January 18, 2008
Calendar Day: Monday, January 21, 2008

At 8:05 P.M. the Senate resumed its session.

Prayer by Pastor Conrad Parker, Grace United Methodist Church, guest of Senator Muse.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 45)

MARTIN LUTHER KING, JR. DAY ADDRESS

Remarks in the Senate and House
by
Dr. Edward C. Papenfuse, State Archivist

Evening sessions

helping to celebrate MLK Birthday; with a brief address by Dr. Ira Berlin and the
presentation of
A Guide to the History of Slavery in Maryland.

Tonight, in honor of Martin Luther King and the struggle for civil rights, and this February's Black History Month, the Maryland State Archives and the University of Maryland are proud to publish *A Guide to the History of Slavery in Maryland*.

It is the product of Dr. Ira Berlin, a internationally known scholar of slavery who teaches at the University of Maryland, and the staff of the Maryland State Archives devoted to the Study of Slavery's impact on Maryland history, led by Chris Haley. Not enough can be said about the contributions Dr. Berlin has made to the history of slavery, nor of the extraordinary efforts our staff have made to document the lives of those Marylanders and their descendants who suffered under the yoke of slavery. The efforts of the Archives to document the course of slavery and its aftermath in Maryland are to be found on the website <http://mdslavery.net>. Dr. Berlin's publications are extensive and include *Many Thousands Gone the First Two Centuries of Slavery in North America* (1998), and *Free At Last, A Documentary History of*

Slavery, Freedom, and the Civil War (1992). He has also found time to be on the Board of Advisors to the papers of Dr. Martin Luther King and to be named in 1991 as the state's outstanding educator by the Maryland Association for Higher Education.

Over a year ago, when Ira approached me about producing a guide to the study of slavery in Maryland, he had just finished editing and introducing *Slavery in New York* which was published to rave reviews. He offered to work with his students and our staff to draft a similar work for Maryland designed for teachers and students. With editorial support from Mimi Calver and the hard work of a creative designer, Michele A. Danoff, Emily Squires, Chris Haley and his staff, Ira and his students produced the booklet before you tonight.

It is our hope that by year's end, every graduating senior and every teacher in the State will own and have read a copy.

On June 2, 1958, Dr. King gave the commencement address at Morgan State College, an extraordinary speech which lay forgotten until last year when the tree on the State House Grounds was re-dedicated to his life, and a quote from that speech was placed on a striking permanent memorial.

In that speech at Morgan, Dr. King reminded his audience of the consequences of slavery, and exhorted all of us to rise to meet the challenge of overcoming its burden.

We must work passionately and unrelentingly for first-class citizenship.

And we must never use second-class methods to gain it.

I know this is difficult advice.

I know the temptation that comes to all of us.

Those of us who have been trampled over so long;

Those of us who have been the victims of injustice;

Those of us who have had to stand amid the viciousness of lynch mobs;

those of us who have had to stand amid bombings;

there is the temptation for us to enter the new age with bitterness in our hearts.

I know the temptation (he continued), but if we enter the new age with this attitude, the new order, which is emerging, would be nothing but a duplication of the old order.

Somebody must have sense enough to cut off the chain of hate in the universe.

Somebody must have sense enough to meet physical force with soul force.

I think this is the challenge facing us at this hour.

Tonight, as we bring this *Guide to the History of Slavery in Maryland* to you, not only should we be challenged by the spirit and the example of Dr. King, we need to remember the closing words on p. 17.

Integration and the enforcement of civil rights would not come for another century [after Maryland abolished slavery], standing as a lesson to all that moving from principle to practice in a democracy requires persistent vigilance and civic engagement at all levels and branches of Government.

Permit me now to introduce Dr. Ira Berlin who will speak to you more about the purpose of the Guide and the relationship of race and race relations to the study of Slavery.

Presentation in honor of Martin Luther King, Jr. by Dr. Ira Berlin.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
Donna M. Barrett	The President and All Members	116
Marcus E. Battle	The President and All Members	117
Joseph L. Burno, Jr.	The President and All Members	118
Ashley M. Childs	The President and All Members	119
James E. Kenney	The President and All Members	120
W. Keith Mathis	The President and All Members	121
Robert E. Paulen	The President and All Members	122
Oscar A. Peyton	The President and All Members	123
Dr. Tomlinson G. Rauscher	The President and All Members	124
Dr. James L. Stookey	The President and All Members	125
Tracey L. Berryman-Singleton	The President and All Members	126

Jerry Bookin-Weiner	The President and All Members	127
Russ White	The President and All Members	128
Glen G. Whiteley	The President and All Members	129
Mary Pat Whiteley	The President and All Members	130
Albert E. Williams	The President and All Members	131

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 46)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 47)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 7 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 48)

The Bill was then sent to the House of Delegates.

Senate Bill 37 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Criminal Procedure Article Additions

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 49)

The Bill was then sent to the House of Delegates.

Martin Luther King, Jr. Day Address given by the Honorable C. Anthony Muse

INTRODUCTION OF BILLS

Senate Bill 151 – Senators Colburn, Stoltzfus, Pipkin, Jacobs, and Harris

AN ACT concerning

Sales and Use Tax – Rate – Eastern Shore Counties

FOR the purpose of altering the State sales and use tax rate in certain counties; and generally relating to the sales and use tax in certain counties.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 11–104(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY adding to

Article – Tax – General

Section 11–104(a–1)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 152 – Senators Colburn, Jacobs, Mooney, Robey, and Stone

AN ACT concerning

Corrections – First Degree Murder – Minimum Sentence

FOR the purpose of requiring that a person convicted of murder in the first degree serve a certain minimum term before being eligible for parole consideration;

prohibiting the deduction in advance from a term of confinement of an inmate if the inmate has been convicted of murder in the first degree until the inmate has served a certain term; providing for the application of this Act; and generally relating to eligibility for parole consideration or a deduction in advance from a term of confinement for murder in the first degree.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704, 4–305(b), and 7–301(d)
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 153 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Galestown Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Commissioners of Galestown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 154 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2008

FOR the purpose of repealing the off-sale privilege of a Class B beer and light wine license in Dorchester County on and after a certain date; authorizing a holder of a Class B (on-sale and off-sale) beer and light wine license in Dorchester County that is issued on or before a certain date to continue to exercise the privileges of the license and to renew the license; prohibiting the Board of License Commissioners from approving the transfer of a certain license on or before a certain date; repealing a requirement that a holder of a certain license must purchase wine from the Dorchester County Liquor Control Board Dispensaries; clarifying that certain restaurants may obtain a certain license

from the Board of License Commissioners; clarifying that a certain license provides for the consumption of beer, wine, and liquor; providing certain penalties for the violation of certain requirements regarding catering events; authorizing the issuance of Class A beer and wine licenses for certain premises under certain circumstances; altering the hours of sale for certain licenses; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–201(k), 6–201(k), 7–101(b)(6) and (d)(7), 9–102(b–6), and
11–510(b)(10), (11), (12), and (13)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 11–510(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 11–510(b)(14)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 155 – Senator Colburn

AN ACT concerning

Dorchester County – Bay Restoration Fee – Lien Against Property

FOR the purpose of establishing in Dorchester County that an unpaid Bay Restoration Fee is a lien against the property on which the wastewater facility, onsite sewage disposal system, or holding tank is located; requiring the lien to be recorded in the office of the clerk for Dorchester County; and generally relating to the Bay Restoration Fee.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(d)

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Judicial Proceedings.

Senate Bill 156 – Senator Colburn

AN ACT concerning

Talbot County – Property Tax Credit – Historic Structures

FOR the purpose of authorizing the governing body of Talbot County or of a municipal corporation in Talbot County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on historic property; authorizing the governing body to specify the types of improvements eligible for the credit, to establish the amount and duration of and eligibility criteria for the credit, and to provide for any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to authorization for a property tax credit for historic property in Talbot County.

BY adding to

Article – Tax – Property
Section 9–322(e)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 157 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages Act of 2008

FOR the purpose of adding Wicomico County to the list of counties that authorize the holder of a Class 6 pub–brewery license to sell malt beverages for off–premises consumption in sealed refillable containers; adding Wicomico County to the list of counties that are authorized to issue a Class 7 micro–brewery (on– and off–sale) license; creating a Class B special wine license for the sale of wine for consumption off the premises; specifying certain requirements for applicants for and holders of the Class B special wine license; specifying a fee and hours of sale; specifying a maximum alcohol content for wine sold under the Class B special wine license; authorizing the Board of License Commissioners to adopt certain regulations; authorizing the Board to issue a special Class C beer, beer and wine, or beer, wine and liquor license; specifying the privileges, application requirements, fee, days of use, and other requirements for holders of the special Class C licenses; adding Wicomico County to the list of counties that, on the death of a licensee, shall issue a new license under certain circumstances to the

surviving spouse, partners, or senior officer without the necessity of further proceedings for the balance of the current license year; authorizing a holder of a Class 6 pub-brewery license or a Class 7 micro-brewery license to have or hold a financial interest in certain retail alcoholic beverages licenses; and generally relating to alcoholic beverages licenses in Wicomico County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2-207(g), 2-208(b), and 10-506(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2-208(a) and 6-201(x)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6-201(x)(4), 7-101(w), and 12-104(e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 158 – Senators Raskin, Madaleno, Colburn, Forehand, Frosh, Garagiola, Harris, Jones, King, Lenett, Peters, Pinsky, and Rosapepe

AN ACT concerning

Farm-to-School Program – Activities and Promotional Events

FOR the purpose of establishing the Jane Lawton Farm-to-School Program in the Department of Agriculture; establishing the purposes of the Program; requiring the Program to establish certain promotional events for certain purposes; defining certain terms; and generally relating to the establishment of the Jane Lawton Farm-to-School Program in the Department of Agriculture.

BY adding to
Article – Agriculture
Section 10-1601 to be under the new subtitle “Subtitle 16. Jane Lawton Farm-to-School Program”
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 159 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – PBC Outreach Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of PBC Outreach, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 160 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Leah’s House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of Leah’s House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 161 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Legislative Community Initiatives Loan of 2004 and Maryland Consolidated Capital Bond Loan of 2007 – Washington County – Barbara Ingram School for the Arts

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 and the Maryland Consolidated Capital Bond Loan of 2007 to alter the name of a

certain grantee from the Mayor and City Council of the City of Hagerstown to the Board of Directors of the Hagerstown Neighborhood Development Partnership, Inc., and generally relating to the Barbara Ingram School for the Arts.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by
Chapter 432 of the Acts of the General Assembly of 2004
Section 13(3)(i) Item (BJ)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02 (CC)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 162 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Creation of a State Debt – Washington County – Maryland Theatre

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Theatre Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 163 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Creation of a State Debt – Washington County – Springfield Barn

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Williamsport for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 164 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Washington County Museum of Fine Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 165 – Senator Haines

AN ACT concerning

Maryland Estate Tax – Exclusion for Family Farm or Family-Owned Business

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate a certain amount of the value of certain property for agricultural use or for the use of certain family-owned businesses; requiring the Comptroller to adopt regulations to provide for the recapture of certain tax savings under certain circumstances; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–309(b)(1) and (2)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Tax – General

Section 7–309(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 166 – Senators Haines, Colburn, Gladden, Jacobs, Simonaire, and Stone

AN ACT concerning

Furnishing an Alcoholic Beverage to Underage Individual – Penalty

FOR the purpose of making it a misdemeanor for a person knowingly and willfully to furnish an alcoholic beverage for consumption to an individual under the age of 21 years under certain circumstances; imposing a certain criminal penalty; repealing certain provisions requiring the issuance of a civil citation to a person who violates the prohibition against furnishing an alcoholic beverage for consumption to an underage individual; clarifying the elements of a certain alcoholic beverage violation; and generally relating to penalties for furnishing an alcoholic beverage to an underage individual.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–117 and 10–119(a), (b), (f)(1), and (h)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 167 – Senators Greenip and Colburn

AN ACT concerning

Education – Teacher Certification – National Organization Standards

FOR the purpose of expanding the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards to include certain teachers who pursue certification or renewal by the American Board for Certification of Teacher Excellence; renaming the Program to be the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards or the American Board for Certification of Teacher Excellence; updating certain Program qualifications; expanding the National Board Certified Teacher Pilot Program to include certain teachers who agree to pursue certification by the American Board for Certification of Teacher Excellence; renaming the Pilot Program to be the Board Certified Teacher Pilot Program; updating certain Pilot Program qualifications; authorizing a certain classroom teacher or other nonadministrative school-based employee who is certified by the American Board for Certification of Teacher Excellence to qualify for a county grant for national certification; requiring the State Board of

Education and the Professional Standards and Teacher Education Board to include the standards of the American Board for Certification of Teacher Excellence and certain other national teacher certifying organizations when reviewing and considering certain programs; defining a certain term; and generally relating to national organization standards for teacher certification.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–112, 6–118, and 6–306
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 6–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 168 – Senators Greenip, Colburn, Haines, Mooney, Muse, and Stoltzfus

AN ACT concerning

Family Law – Covenant Marriage

FOR the purpose of authorizing a man and a woman to enter into a covenant marriage; requiring the parties to a covenant marriage to indicate their intent to enter into a covenant marriage on the marriage license application and execute a declaration of intent; requiring a declaration of intent to contain certain information and be attached to the marriage license; establishing that a court may decree an absolute divorce in the case of a covenant marriage only on certain grounds under certain circumstances; defining a certain term; and generally relating to covenant marriages.

BY adding to
Article – Family Law
Section 2–203
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–402(b), 2–403(b), and 7–103
Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 169 – Senators Greenip, Colburn, Haines, Harris, Mooney, Munson, Simonaire, and Stoltzfus

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland’s Marriage Protection Act

FOR the purpose of adding a new section to the Maryland Constitution to establish that only a marriage between a man and a woman is valid in this State; establishing that certain unions or relationships between individuals of the same sex are not valid in this State; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

Article XV – Miscellaneous

Section 8

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 170 – Senator Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Easter Seals Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 171 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Sinai Hospital of Baltimore

FOR the purpose of authorizing the creation of a State Debt not to exceed \$320,000, the proceeds to be used as a grant to the Board of Directors of Sinai Hospital of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 172 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Garrett County – Adventure Sports Center International

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Adventure Sports Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 173 – Senators Astle, Brinkley, and Robey

AN ACT concerning

Income Tax – Credit for Installation of Fire Suppression Systems

FOR the purpose of allowing a credit against the State income tax for certain costs of certain fire suppression systems; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit may be carried over to another taxable year; allowing certain taxpayers to claim a refund of the credit; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain fire suppression systems.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 174 – Senators Astle and Pipkin

AN ACT concerning

Motor Vehicles – Towing and Towed Vehicles – Procedures and Equipment

FOR the purpose of altering the requirements for the procedures that must be followed and the equipment that must be used when one vehicle tows another vehicle in certain circumstances; clarifying certain requirements; providing certain exceptions; authorizing the Motor Vehicle Administration to adopt certain regulations; defining certain terms; providing a certain penalty; making a stylistic change; and generally relating to procedures and equipment for towing and towed vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–107
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 27–101(bb)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 175 – Senator Glassman

AN ACT concerning

Maryland Estate Tax – Exclusion for Family Farm Subject to Agricultural Preservation Easements

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain real property subject to certain agricultural preservation easements; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General

Section 7-309(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Tax – General
Section 7-309(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 176** through **Senate Bill 199** to be referred to the appropriate committees.

The motion was adopted by roll call vote as follows:

Affirmative - 46 Negative - 0 (See Roll Call No. 50)

Senate Bill 176 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Motor Fuel – Use of Dyed Diesel Fuel – Violations

FOR the purpose of establishing certain offenses involving the use of dyed diesel fuel in the propulsion tank of a motor vehicle on State highways; and generally relating to the use of dyed diesel fuel on State highways.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10-323.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 177 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

FOR the purpose of altering the maximum number of days and hours of annual leave that State employees may accumulate and carry over from 1 calendar year to

the next calendar year; and generally relating to the accrual of annual leave by State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 9–304 and 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 178 – Chair, Finance Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Emergency Number Systems Board – Membership

FOR the purpose of increasing the membership of the Emergency Number Systems Board to include a representative of geographical information systems in the State and an additional representative of emergency management services; and generally relating to the Emergency Number Systems Board.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–305
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 179 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Racing Commission – Mile Thoroughbred Racing – Payment of Taxes

FOR the purpose of extending the time within which a mile thoroughbred licensee must pay pari–mutuel taxes to the State Racing Commission after each racing day; and generally relating to the State Racing Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–509
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 180 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Lottery)**

AN ACT concerning

State Lottery – Purchasing, Selling, or Cashing Lottery Tickets or Prizes

FOR the purpose of prohibiting the purchasing, selling, or cashing of lottery tickets or prizes validated by the State Lottery Agency under certain circumstances; prohibiting a licensed agent of the State Lottery Agency from paying a prize winner less than the lawful amount or seeking a certain payment, reimbursement, or cashing fee under certain circumstances; and generally relating to the purchase and redemption of State lottery tickets and prizes.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–124
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 181 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Labor, Licensing and
Regulation)**

AN ACT concerning

State Real Estate Commission – Summary Suspension of License – Grounds

FOR the purpose of authorizing the State Real Estate Commission to suspend summarily a license if the licensee fails to disclose that the licensee has been convicted of certain crimes; and generally relating to the grounds for which the State Real Estate Commission may suspend summarily a license.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 17–322(b)(24)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions

Section 17-328
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 182 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transportation Authority – Bonding Authority

FOR the purpose of modifying a certain limit on the issuance of certain debt by the Maryland Transportation Authority; and generally relating to Maryland Transportation Authority revenue bonds and the issuance of debt.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4-306
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 183 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Prince George’s County Board of Education – Repeal of Requirement for a Comprehensive Review

FOR the purpose of repealing certain uncodified provisions of law relating to the conduct of a certain review of the Prince George’s County Board of Education by a consultant; and generally relating to a review of the Prince George’s County Board of Education.

BY repealing
Chapter 289 of the Acts of the General Assembly of 2002, as amended by
Chapter 344 of the Acts of the General Assembly of 2005
Section 17 and 18

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 184 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Education)

AN ACT concerning

Family Law - Child Care Centers - Emergency Suspensions

FOR the purpose of requiring the licensee or holder of a letter of compliance to cease operation of a child care center immediately upon delivery of an emergency suspension notice; repealing a provision requiring a stay of an emergency suspension under certain circumstances; authorizing the licensee or letter holder to request a certain hearing; making a conforming change; and generally relating to the regulation of child care centers by the Maryland State Department of Education.

BY repealing and reenacting, with amendments,
Article - Family Law
Section 5-580
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 185 - Chair, Judicial Proceedings Committee (By Request - Departmental - Automobile Insurance Fund)

AN ACT concerning

Vehicle Laws - Lapsed or Terminated Security - Penalties

FOR the purpose of altering the penalty that may be assessed by the Motor Vehicle Administration for a vehicle that is without the required security for a certain period; increasing the amount of the daily penalty that may be assessed for violating certain vehicle security requirements after a certain period; increasing the maximum penalty that may be assessed for a violation of certain vehicle security requirements occurring within a certain period; repealing obsolete provisions; and generally relating to penalties for lapsed or terminated security for motor vehicles.

BY repealing and reenacting, with amendments,
Article - Transportation
Section 17-106(e)
Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 186 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – General Services)**

AN ACT concerning

Department of General Services – Small Procurement Process

FOR the purpose of altering the maximum amount of a procurement contract that may be eligible for the small procurement process for certain construction contracts sought to be awarded by the Department of General Services; and generally relating to the small procurement process.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–109(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 187 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Higher Education
Commission)**

AN ACT concerning

Institutions of Postsecondary Education – Certificate of Approval

FOR the purpose of authorizing the Maryland Higher Education Commission to require a certain fee from certain institutions of postsecondary education applying for certain certificates of approval; and generally relating to the approval of institutions of postsecondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–105(o)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 11–202(a)

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 188 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

FOR the purpose of clarifying that applicants for cigarette business licenses and licensees must buy cigarettes for resale from a licensed cigarette manufacturer in order to be in compliance with certain provisions of law and not be subject to certain disciplinary action by the Comptroller; and generally relating to the regulation of cigarette business licenses in the State.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–210(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 189 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Surface Water Discharge Permits – Contested Case Hearings – Standing

FOR the purpose of authorizing a person that meets certain requirements of federal law to request a certain hearing on a certain water discharge permit; and generally relating to water discharge permits issued by the Department of the Environment.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–324
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 190 - Chair, Education, Health, and Environmental Affairs
Committee (By Request - Departmental - Ethics, State Commission on)**

AN ACT concerning

Ethics - Financial Disclosure - Electronic Filing

FOR the purpose of requiring that certain financial disclosure statements be filed electronically with the State Ethics Commission; requiring the Commission to adopt certain regulations allowing exceptions to the mandatory electronic filing requirement; and generally relating to financial disclosure and electronic filing.

BY repealing and reenacting, with amendments,
Article - State Government
Section 15-602(a) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article - State Government
Section 15-602(b) and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 191 - Chair, Education, Health, and Environmental Affairs
Committee (By Request - Departmental - Ethics, State Commission on)**

AN ACT concerning

**State Ethics Commission - Electronic Filing Under Oath or Affirmation -
Electronic Signature**

FOR the purpose of clarifying that, for purposes of certain financial disclosure statements and reports filed electronically with the State Ethics Commission, certain oaths or affirmations must be made by electronic signature that subjects the individual making the electronic signature to the penalties of perjury; and generally relating to electronic filing of certain statements and reports under oath or affirmation.

BY repealing and reenacting, with amendments,
Article - State Government

Section 15-602(e) and 15-709
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 192 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Application of Insurance Fraud Law

FOR the purpose of providing that certain provisions of law relating to fraudulent insurance acts that apply to insurers also apply to the Maryland Health Insurance Plan.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27-402
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 193 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Social Services Administration – Definition

FOR the purpose of altering the definition of “Administration” for purposes of certain provisions of law relating to child care and foster care to include certain units in the Department of Human Resources to which the Secretary of Human Resources has delegated certain responsibilities; and generally relating to child care and foster care.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5-501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law

Section 5-501(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 194 – Chair, Finance Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Department of Human Resources – New Hires Registry Quarterly Report – Repeal

FOR the purpose of repealing an uncodified provision of law requiring the Department of Human Resources to establish a certain task force, to report to the General Assembly by a certain date, and to report quarterly to the Joint Committee on Welfare Reform; and generally relating to the development of a new hire registry.

BY repealing
Chapter 351 of the Acts of the General Assembly of 1996
Section 16

Read the first time and referred to the Committee on Finance.

Senate Bill 195 – Chair, Budget and Taxation Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

Law Enforcement Officers’ Pension System – Baltimore City Community College – Police Officers

FOR the purpose of providing for the membership of certain police officers in the Baltimore City Community College Police Force in the Law Enforcement Officers’ Pension System; and generally relating to the Law Enforcement Officers’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26-201(a)(19) and (20) and (b)(12) and (13) and 26-202(b)(1)(xvi) and (xvii)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 26–201(a)(21) and (b)(14) and 26–202(b)(1)(xviii)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 196 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Licensing, Disclosure, and Insurance Requirements

FOR the purpose of altering the minimum number of hours and certain approval requirements of a certain training course that must be completed by certain applicants for a home inspector license; requiring a certain training course to include successful completion of a certain examination; altering the insurance requirements for certain applicants for a home inspector license; requiring proof of compliance with certain insurance requirements for the renewal of certain home inspector licenses; requiring certain home inspectors to provide certain persons certain credentials and a certain disclosure; requiring certain home inspectors to maintain a certain amount of general liability insurance; requiring certain applicants for a home inspector license to submit certain proof to the State Commission of Real Estate Appraisers and Home Inspectors with certain applications; prohibiting the Commission from issuing and renewing certain licenses under certain circumstances; requiring certain licensees to give the Commission certain notice within a certain time period; authorizing the Commission to impose certain sanctions on certain applicants and licensees for failure to maintain certain insurance; and generally relating to the licensing, disclosure, and insurance requirements for home inspectors.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 16–3A–03, 16–3A–05, 16–3A–07, 16–4A–01, and 16–701.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 16–4A–04
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 197 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Harness Racing – Maryland Standardbred Race Fund

FOR the purpose of repealing the requirement that a certain race funded by the Maryland Standardbred Fund be canceled by the State Racing Commission under certain circumstances; and generally relating to the State Racing Commission.

BY repealing

Article – Business Regulation

Section 11–636

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 198 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Child Support Collection Fee – Repeal of Sunset

FOR the purpose of repealing the termination date of a provision that authorizes the Child Support Enforcement Administration to deduct an annual collection fee from child support payments in certain cases; and generally relating to child support enforcement.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2007

Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 199 – Chair, Judicial Proceedings Committee (By Request – Departmental – Lottery)

AN ACT concerning

Crimes – State Lottery – Theft of Tickets, Equipment, or Products

FOR the purpose of prohibiting a person from knowingly and willfully obtaining or exerting unauthorized control over a lottery ticket, equipment, or products for certain purposes; prohibiting a person from knowingly presenting or giving to another to present for payment a stolen, counterfeit, altered, or misdelivered lottery ticket; providing penalties for a violation of this Act; providing that certain offenses do not preclude prosecution under certain other statutes; providing for the merger of certain convictions under certain circumstances; defining certain terms; and generally relating to the theft, unauthorized use, or misrepresentation of State Lottery tickets, equipment, or products.

BY adding to

Article – Criminal Law

Section 12–213

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 200 – Senators Dyson and Middleton

AN ACT concerning

Commission to Study Southern Maryland Transportation Needs

FOR the purpose of authorizing the Commission to Study Southern Maryland Transportation Needs to reconvene for certain purposes; altering the date by which the Commission is required to report its findings and recommendations to the Governor and the General Assembly; altering the date for the termination of certain provisions of law; and generally relating to the Commission to Study Southern Maryland Transportation Needs.

BY repealing and reenacting, with amendments,

Chapter 14 of the Acts of the General Assembly of 2006

Section 1 and 2

Read the first time and referred to the Committee on Finance.

Senate Bill 201 – Senator Dyson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Voting by 17-Year-Old Citizens

FOR the purpose of authorizing certain citizens who are less than 18 years old to vote in certain elections under certain circumstances; making stylistic changes; and

submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 1

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 202 – Senator Kelley

AN ACT concerning

Creation of a State Debt – Baltimore County – Family Life Intergenerational Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the We Are Family Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 203 – The President (By Request – Administration)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Consolidation of Workforce Development Functions – Transfer of Adult Education and Literacy Services and Education Programs for Correctional Facilities

FOR the purpose of transferring adult education and literacy services functions administered by the State Department of Education to the Department of Labor, Licensing, and Regulation; transferring education programs for correctional institutions to the Department of Labor, Licensing, and Regulation; creating and renaming certain units within the Department; establishing the Workforce Creation and Adult Education Transition Council; providing for the duties of the Transition Council; requiring the Transition Council to submit a certain report by a certain date; requiring certain regulations to be adopted; requiring the Secretary of the Department to appoint certain directors; designating the Department of Labor, Licensing, and Regulation as the

responsible agency for certain federal funding purposes; defining certain terms; providing for the transfer of certain employees under certain circumstances; providing certain provisions to effectuate the transfer of the functions and units required by this Act; making the provisions of this Act severable; and generally relating to the transfer of certain functions of State government and the administration of workforce development services.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–507

Annotated Code of Maryland

(1999 Volume and 2007 Supplement)

BY repealing

Article – Education

Section 4–110, 5–218, 7–205.1, 7–206, and 22–101 through 22–105

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 21–201 and 21–202

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–301, 8–302, 8–303, 8–902, 11–102, and 11–104

Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–101

Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

BY repealing

Article – Labor and Employment

Section 11–103 and 11–105

Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

BY adding to

Article – Labor and Employment

Section 11-801 through 11-807 to be under the new subtitle "Subtitle 8. Adult Education and Literacy Services"; and 11-901 through 11-905 to be under the new subtitle "Subtitle 9. Correctional Institutions"
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 204 - The President (By Request - Administration) and Senators Pugh and Garagiola

AN ACT concerning

Maryland Transit Administration - Transit-Oriented Development

FOR the purpose of establishing that the realization of certain transit-oriented development of certain property located near transit stations is a transportation purpose that is essential for the attainment of certain objectives; defining certain terms; and generally relating to transit oriented development.

BY repealing and reenacting, with amendments,
Article - Transportation
Section 7-101 and 7-102
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 205 - The President (By Request - Administration) and Senators Frosh, Garagiola, Forehand, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

EmPOWER Maryland Energy Efficiency Act of 2008

FOR the purpose of establishing the State goal of achieving certain percentage reductions in per capita electricity consumption and peak demand by the end of a certain year; requiring certain municipal electric utilities and small rural electric cooperatives to include certain programs or services to encourage and promote the efficient use and conservation of energy as part of their service to their customers; requiring that, by certain dates, the Public Service Commission shall adopt regulations or issue orders requiring each electric company to procure or provide to certain customers certain energy efficiency and conservation measures and services that are designed to achieve certain energy reduction targets by certain dates; requiring electric companies to submit to the

Commission a certain plan by certain dates; requiring electric companies to consult with the Maryland Energy Administration regarding certain plans; requiring the Administration to provide certain findings to the Commission; requiring the Commission to review certain plans by a certain time; authorizing the Commission and the Administration to request certain information; requiring the Commission, by regulation or order, to require certain electric companies to implement certain rate adjustment mechanisms for certain customers and certain demand response programs for certain customers; requiring the Commission to submit certain reports to the Governor and the General Assembly by certain dates; requiring the Commission to evaluate certain technology and authorizing the Commission to require its implementation; defining certain terms; and generally relating to energy efficiency and demand management measures and services.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7-211 and 7-510(c)(4)(ii)2.C.
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – Public Utility Companies
Section 7-213 and 7-214
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 206 – The President (By Request – Administration) and Senators Dyson, DeGrange, Astle, Conway, Currie, Della, Forehand, Lenett, Madaleno, Peters, Rosapepe, and Simonaire

AN ACT concerning

BRAC Community Enhancement Act

FOR the purpose of authorizing the creation of BRAC Revitalization and Incentive Zones in the State; establishing eligibility criteria for the Zones and factors to be considered by the Secretary of Business and Economic Development in approving the Zones; establishing procedures for applying for establishment of the Zones and the benefits available in the Zones; limiting the number of Zones that can be created in any calendar year and in any one county; providing for certain tax credits to be available to certain eligible businesses in the Zones; requiring an income tax addition modification for the amount of a certain credit claimed; providing for certain benefits, including financing for tax increment financing to be available to the political subdivisions applying for and administering the Zones; providing for eligibility of a Zone as a community

legacy area or a designated neighborhood under programs administered by the Department of Housing and Community Development; authorizing the Mayor and the City Council of Baltimore City to pledge certain funds for certain bonds; authorizing the Maryland Department of Transportation and certain local jurisdictions to enter into a certain payment agreement in lieu of a tax agreement with the federal government or certain private developers for certain federal enclave property; exempting from State real property tax certain federal enclave property under certain circumstances; requiring certain factors to be considered by the parties to certain agreements; requiring a certain agreement to be approved and signed by certain parties; requiring certain parties to make a certain payment to a certain tax collector in a certain amount at a certain time; specifying the distribution of certain payments; authorizing the State Department of Assessments and Taxation and the Maryland Department of Transportation to adopt certain rules and regulations; disallowing certain property tax exemptions for certain federal enclave property; repealing certain property tax exemptions for certain property located within the defined boundaries of a military installation; defining certain terms; providing for certain exceptions; requiring certain reports; providing for the application of this Act; and generally relating to BRAC Revitalization and Incentive Zones and tax benefits for federal enclave property in the State.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (62)(a)
(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 14–204
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–404(d); and 5–2001 through 5–2005 to be under the new subtitle
“Subtitle 20. BRAC Revitalization and Incentive Zones Tax Benefits”
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–201(g) and 6–301(b)
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–205(b) and 10–306(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – Property
Section 7–211.3 and 9–110
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–404(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–211(a) and (c), 7–211.2, 7–501(b), and 9–103(a)(5)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 207 – The President (By Request – Administration) and Senators King, Garagiola, Madaleno, Forehand, Frosh, Lenett, Pinsky, and Rosapepe

AN ACT concerning

Solar and Geothermal Tax Incentive and Grant Program

FOR the purpose of altering the grant amounts awarded under the Solar Energy Grant Program and the Geothermal Heat Pump Grant Program in the Maryland Energy Administration; authorizing the Administration to adjust the grant amounts under the programs under certain circumstances; exempting from the sales and use tax a sale of certain geothermal equipment and solar energy equipment; exempting the State and local property tax certain geothermal property and solar energy property; defining certain terms; repealing a certain State property tax exemption; providing for the application

of certain provisions of this Act; and generally relating to State and local solar and geothermal energy incentives.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007 and 9–2008
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing
Article – Tax – Property
Section 7–308
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

Senate Bill 208 – The President (By Request – Administration) and Senators Madaleno, King, Brochin, Forehand, Frosh, Garagiola, Lenett, Pinsky, and Rosapepe

AN ACT concerning

High Performance Buildings Act

FOR the purpose of requiring certain buildings to be high performance buildings; requiring certain buildings that are renovated to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; providing for a certain waiver process from certain high performance building requirements; repealing certain provisions of law relating to high performance buildings; expressing a certain intent of the General Assembly; requiring certain new schools receiving State public school construction funds to be high performance buildings; requiring the Board of Public Works to establish a certain waiver process from certain high

performance building requirements; requiring that a certain waiver process include a certain review and approval by the Interagency Committee on School Construction; requiring the State to pay a certain amount of certain local costs related to the construction of schools that are high performance buildings for certain fiscal years; requiring the Board of Public Works to adopt certain regulations; providing for the applicability of certain provisions of this Act; defining certain terms; and generally relating to high performance buildings.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 5–312
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 209 – The President (By Request – Administration) and Senators Garagiola, Forehand, Frosh, King, Lenett, Madaleno, Pinsky, and Rosapepe

AN ACT concerning

Renewable Portfolio Standard Percentage Requirements – Acceleration

FOR the purpose of altering the renewable energy portfolio standard by increasing the percentages of electricity sales that must be met in certain years through the accumulation of renewable energy credits from certain sources; redefining a certain renewable energy credit; increasing the maximum allowable alternative

compliance payment; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7-701(a) and 7-703(a)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7-701(i), 7-703(b), and 7-705(b)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 210 – The President (By Request – Administration) and Senators Astle, Brochin, Currie, Della, Edwards, Frosh, Garagiola, Gladden, Kasemeyer, King, Klausmeier, Lenett, Madaleno, Peters, Rosapepe, and Stone

AN ACT concerning

Maryland Veterans Behavioral Health

FOR the purpose of establishing behavioral health service coordination among the Department of Health and Mental Hygiene, the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, the Maryland National Guard, and the Maryland Defense Force for certain veterans of the Afghanistan or Iraq conflicts; requiring the provision of certain behavioral health services under certain circumstances in certain areas of the State to veterans of the Afghanistan or Iraq conflicts; creating the Veterans Behavioral Health Advisory Board; providing for the composition and chair of the Board; providing for the staffing of the Board; prohibiting members of the Board from receiving compensation but entitling members to reimbursement of certain expenses; establishing the duties of the Board; requiring the Board to submit certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; defining certain terms; and generally relating to the behavioral health needs of veterans and their families.

BY adding to
Article – Health – General
Section 13-2701 through 13-2703 to be under the new subtitle “Subtitle 27. Behavioral Health Services for Maryland Veterans of the Afghanistan and Iraq Conflicts”

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 211 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Garagiola, Jones, Kasemeyer, King, Lenett, Madaleno, McFadden, Miller, Mooney, Munson, Robey, and Stone

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Crimes of Violence, Burglary, and Breaking and Entering a Motor Vehicle – Sample Collections on Arrest

FOR the purpose of requiring the collection of a DNA sample from a certain individual arrested for or charged with certain criminal offenses in accordance with certain regulations; requiring a certain DNA sample to be collected by a certain person at the facility where a certain arrest is processed; altering certain requirements for expungement of certain DNA samples in the statewide DNA data base system; requiring certain documentation to be sent to certain persons; requiring the Director of the Crime Laboratory to adopt certain procedures; altering certain definitions; defining certain terms; providing for a delayed effective date; and generally relating to the statewide DNA data base system.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 212 – The President (By Request – Administration)

AN ACT concerning

Reorganization of State Government – Department of Information Technology

FOR the purpose of reorganizing State government by establishing a Department of Information Technology as a principal unit of the Executive Branch; providing for the qualifications, appointment, powers, duties, and salary of the Secretary of Information Technology; providing for the duties of the Department of Information Technology; specifying that the Department of Information Technology is responsible for administering the information technology

functions of the Executive Branch of State government; transferring the information technology and telecommunications functions of the Executive Branch from the Department of Budget and Management to the Department of Information Technology; transferring the Telecommunications Access of Maryland program from the Department of Budget and Management to the Department of Information Technology; requiring certain shopping facilities to acquire and install certain communications devices; providing that the Department of Information Technology is a primary procurement unit; repealing a certain requirement regarding the adoption of regulations; repealing certain provisions of law rendered inapplicable by provisions of this Act; abolishing the State Information Technology Board; defining certain terms; providing for the transfer of certain employees under certain circumstances; providing for appropriate transitional provisions relating to the continuity of certain departments, boards, commissions, committees, agencies, and other units; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders and other directives, permits and licenses, applications, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; providing for the continuity of certain transactions, rights, duties, and interests; providing for the continuity of certain persons licensed, registered, permitted, and certified under certain departments, offices, and units; providing for the continuity of certain contracts, agreements, grants, or other obligations; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct agency names and titles in the Code to conform to the changes that are made by this Act; making technical changes; and generally relating to the reorganization of State government and the establishment of a Department of Information Technology.

BY repealing

Article – State Finance and Procurement

Section 3–401 through 3–413 and the subtitle “Subtitle 4. Information Processing”; 3–701 through 3–706 and the subtitle “Subtitle 7. Telecommunications”; 3–801 through 3–807 and the subtitle “Subtitle 8. Telecommunications Access of Maryland”; and 3–901 through 3–906 and the subtitle “Subtitle 9. Telecommunications Devices and Distribution of Accessible Information for Disabled Individuals”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–201

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Finance and Procurement
Section 3A–101 through 3A–606 to be under the new title “Title 3A. Department of Information Technology”; and 12–107(b)(7)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 11–101(l), 12–107(b)(2), (5), and (6), 13–401, 13–402(a), and 14–501(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 14–501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 213 – The President (By Request – Administration) and Senators Frosh, Garagiola, Gladden, King, Madaleno, Peters, Pinsky, Raskin, and Robey

AN ACT concerning

Chesapeake Bay 2010 Trust Fund and Nonpoint Source Fund

FOR the purpose of altering the Chesapeake Bay 2010 Trust Fund and its purposes; providing for the uses of the Fund; establishing in statute the BayStat Program and BayStat Subcabinet; requiring the BayStat Subcabinet to oversee the administration of the Program; establishing the responsibilities of the Program; requiring the BayStat Subcabinet to submit to the public a certain annual report and develop an annual work and expenditure plan; requiring the Governor to submit the annual work and expenditure plan to the General Assembly as part of the annual budget submission; requiring the Program to implement certain measures for certain purposes; requiring the Program to distribute funds from the Trust Fund to the BayStat Subcabinet agencies; requiring the BayStat Subcabinet agencies to redistribute the funds through grants to various entities and to the Chesapeake Bay Nonpoint Source Fund; requiring the Program to develop certain grant solicitations, guidelines, and applications; requiring grant agreements to comply with certain requirements; requiring grant recipients to submit a certain annual report that includes certain information; prohibiting the use of the Trust Fund for certain purposes; establishing a BayStat Program Scientific Advisory Panel, composed of certain individuals appointed by the Governor; establishing certain responsibilities for

the Panel; authorizing State agencies that administer certain grants to receive certain administrative costs from the Trust Fund; establishing the Chesapeake Bay Nonpoint Source Fund as a special, continuing, nonlapsing fund in the Water Quality Financing Administration in the Department of the Environment; establishing the purpose of the Fund; establishing certain funding for the Fund; requiring the Fund to be subject to a certain audit; authorizing the Administration to establish accounts and subaccounts in the Fund for certain purposes; establishing the uses of the Fund; providing for certain bonding authority relating to money in the Fund; requiring the Administration to provide for a certain system of financial accounting, controls, audits, and reports for certain funds that conforms with certain State and federal laws; requiring a certain audit and audit report of certain funds; defining certain terms; and generally relating to dedicated funding sources for the restoration of the Chesapeake Bay and the waters of the State.

BY renumbering

Article – Natural Resources

Section 8–205

to be Section 8–2A–01 to be under the new subtitle “Subtitle 2A. Chesapeake Bay 2010 Trust Fund”

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Chapter 6 of the Acts of the General Assembly Special Session of 2007)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–2A–01

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Section 1 of this Act)

BY adding to

Article – Natural Resources

Section 8–2A–02 through 8–2A–04

Annotated Code of Maryland

(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1601, 9–1611, and 9–1616

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

BY adding to

Article – Environment

Section 9–1605.3 and 9–1617.1

Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 214 - The President (By Request - Administration) and Senators Miller, Brinkley, Brochin, Colburn, Currie, DeGrange, Frosh, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, McFadden, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

Divestiture from Iran

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to review certain investment holdings; requiring the Board of Trustees to provide written notice to certain companies; requiring the Board of Trustees to take divestment action with regard to certain investments; providing certain exceptions to required divestment actions; prohibiting the Board of Trustees from making certain new investments; requiring the Board of Trustees to submit certain reports containing certain information on or before a certain date; defining certain terms; providing for the abrogation of this Act under certain circumstances; making the provisions of this Act severable; and generally relating to sanctions against Iran.

BY adding to

Article - State Personnel and Pensions

Section 21-123.2

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 215 - Chair, Judicial Proceedings Committee (By Request - Departmental - Health and Mental Hygiene)

AN ACT concerning

Maryland False Health Claims Act

FOR the purpose of prohibiting certain actions constituting false claims against a State health plan or a State health program; providing certain penalties for making false claims against a State health plan or a State health program; authorizing the State to file a civil action against a person who makes a false claim against a State health plan or a State health program under certain circumstances; authorizing a person other than the State to file a civil action on

behalf of the person and the State against a person who makes a false claim against a State health plan or a State health program; providing for the procedures to be followed in a civil action; providing for certain remedies under a civil action; requiring the State to investigate a civil action alleging a false claim against a State health plan or a State health program; authorizing the State to intervene and proceed with the action with or without the person that initiated the action; authorizing the State to elect not to intervene and proceed with the action but allow the person that initiated the action to proceed; authorizing the court to limit the participation of the person that initiated the action under certain circumstances; authorizing the State to intervene at a later time in the proceedings or to pursue alternative remedies; providing for certain damages and payments to the person that initiated the action under certain circumstances; providing for certain payments to the person charged under certain circumstances if the person charged prevails; providing certain limitations on civil actions filed under this Act; prohibiting an employer from taking retaliatory action against an employee under certain circumstances; authorizing an employee to file a civil action against an employer that takes retaliatory action against the employee in certain circumstances; providing certain remedies for retaliatory action; requiring an employer to make certain disclosures to employees; defining certain terms; authorizing the Department of Health and Mental Hygiene to adopt certain regulations; and generally relating to false claims against State health plans and State health programs.

BY adding to

Article – Health – General

Section 2–601 through 2–610 to be under the new subtitle “Subtitle 6. False Claims Against State Health Plans and State Health Programs”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 215** to be referred to the appropriate committee.

The motion was adopted.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 216 – Senator Pugh and the President (By Request – Administration) and Senators Currie, Della, Frosh, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Raskin, and Stone

AN ACT concerning

Real Property – Recordation of Instruments Securing Mortgage Loans and Foreclosure of Mortgages and Deeds of Trust on Residential Property

FOR the purpose of prohibiting a mortgage, deed of trust, or other instrument securing a mortgage loan from being recorded unless it contains certain information relating to the mortgage loan originator and the mortgage lender; prohibiting an action to foreclose a mortgage or deed of trust on certain residential property from being filed until after certain periods of time; authorizing a secured party to petition a circuit court for leave to immediately commence a foreclosure action under certain circumstances; requiring a certain notice of intent to foreclose to be sent to a certain person in a certain manner a certain period of time before the filing of an action to foreclose a mortgage or deed of trust on certain residential property; requiring the notice to be in a certain form and contain certain information; establishing certain requirements for an order to docket or a complaint to foreclose a mortgage or deed of trust on certain residential property; providing for service of an order to docket or a complaint to foreclose a mortgage or deed of trust on certain residential property; prohibiting a foreclosure sale of certain residential property from occurring until after a certain period of time; providing for publication of notice of a foreclosure sale; establishing that a mortgagor has the right to cure a default and reinstate the loan until a certain time; requiring the secured party or an authorized agent for the secured party to provide certain information to the mortgagor or the mortgagor's attorney within a certain time; requiring that a certain action be brought within a certain period of time; making certain technical and stylistic changes; defining a certain term; and generally relating to foreclosure actions and prerequisites to recording instruments in the land records.

BY adding to

Article – Real Property
Section 3–104(h) and 7–105.1
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 7–105
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 217 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, and Stone

AN ACT concerning

Real Property – Maryland Mortgage Fraud Protection Act

FOR the purpose of prohibiting a person from committing mortgage fraud; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of this Act; authorizing the Attorney General and the State's Attorney to conduct the criminal investigation and prosecution of mortgage fraud under this Act; authorizing a private right of action for a violation of this Act under certain circumstances; imposing certain penalties for a violation of this Act under certain circumstances; providing for the forfeiture of property used in a violation of this Act under certain circumstances; defining certain terms; and generally relating to mortgage fraud.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11-501(k) and (m)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to
Article – Real Property
Section 7-401 through 7-409 to be under the new subtitle “Subtitle 4.
Maryland Mortgage Fraud Protection Act”
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 218 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, and Stone

AN ACT concerning

**Protection of Homeowners in Foreclosure – Prohibition on Foreclosure
Rescue Transactions – Enforcement**

FOR the purpose of altering the applicability of certain provisions relating to the protection of homeowners in foreclosure; altering the contents of a certain foreclosure consulting contract; prohibiting a foreclosure consultant from engaging in or arranging a foreclosure rescue transaction or receiving a commission or money under certain circumstances; requiring a foreclosure consultant to be licensed as a real estate broker and to provide certain research to a homeowner under certain circumstances; repealing certain provisions concerning foreclosure reconveyances; authorizing a homeowner to cancel a contract for the sale or transfer of a residence in default under certain circumstances; requiring a contract for the sale or transfer of a residence in default to contain certain notices and attachments under certain circumstances; imposing certain prohibitions on a purchaser of a residence in default; authorizing the Commissioner of Financial Regulation to enforce certain

provisions concerning the protection of homeowners in foreclosure; making a violation of this Act an unfair or deceptive trade practice under the Maryland Consumer Protection Act; requiring the Attorney General or the State's Attorney to notify the Commissioner of certain convictions; altering and defining certain terms; making stylistic and conforming changes; and generally relating to the protection of homeowners in foreclosure.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 13–301(14)(xxii)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Commercial Law

Section 13–301(14)(xxiv)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–301 to be under the amended subtitle “Subtitle 3. Protection of Homeowners in Foreclosure Act”, 7–302, 7–305, 7–306, and 7–307; and 7–310 to be under the amended part “Part III. Sales or Transfers of Residences in Default”, 7–311, 7–314, 7–315, 7–319, and 7–320

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property

Section 7–308, 7–309, 7–310, 7–313, 7–318.1, and 7–322; and 7–325 to be under the new part “Part VI. Short Title”

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 7–318 and 7–321

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 51)

ADJOURNMENT

At 9:13 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 22, 2008.

Annapolis, Maryland
Tuesday, January 22, 2008
10:00 A.M. Session

The Senate met at 10:20 A.M.

Prayer by The Reverend Sylvester Peterka, St. Cecilia Roman Catholic Church, guest of Senator Gladden.

The Journal of January 18, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 54)

INTRODUCTION OF BILLS

Senate Bill 219 – Senators Brochin and Klausmeier

AN ACT concerning

Baltimore County – Proposed New School Buildings – High Performance Buildings

FOR the purpose of requiring that, in Baltimore County, each new school building shall be a high performance building; prohibiting the State or the Baltimore County Board of Education from authorizing an appropriation for the preliminary planning of a proposed capital project for a new school building until a certain program is submitted to the Department of Budget and Management; defining a certain term; authorizing the Board of Public Works to adopt certain regulations; and generally relating to the construction of new school buildings as high performance in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Education
Section 2–303(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 5–112 and 5–301
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 220 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Colburn, Dyson, Gladden, Klausmeier, Middleton, and Stone

AN ACT concerning

Identity Fraud – Prohibition of Unauthorized Skimming and Re-Encoding Devices

FOR the purpose of prohibiting a person from knowingly, willfully, and with fraudulent intent to obtain a benefit, credit, good, service, or other thing of value by using a re-encoder device or a skimming device in a certain manner for certain purposes; prohibiting a person from knowingly, willfully, and with fraudulent intent to possess, obtain, or help another person to possess or obtain a re-encoder device or a skimming device for certain unauthorized purposes; defining certain terms; and generally relating to the unauthorized use of certain devices.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON FINANCE REPORT #2

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 45 – Senator Lenett

AN ACT concerning

State Advisory Council on Quality Care at the End of Life – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE HOUSE

January 22, 2008

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

The Governor of Maryland has signified his intention of addressing the General Assembly of Maryland on Wednesday, January 23, 2008, at 12 Noon in the House Chamber.

We propose with your concurrence, a joint meeting of the two Houses for this occasion and have appointed Delegates Rice and King to escort your Honorable Body to the House Chamber.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House, to escort the Governor to the House Chamber. We have appointed Delegates F. Turner, Tarrant and Aumann.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates Ross, V. Turner and Weldon.

BY ORDER,

MARY MONAHAN
CHIEF CLERK

MESSAGE TO THE HOUSE OF DELEGATES

January 22, 2008

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message that the Governor has signified his intention to address the General Assembly of Maryland on Wednesday, January 23, 2008, at 12:00 Noon, and proposing a joint meeting of the General Assembly in the Chamber of the House of Delegates.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Kasemeyer, Brinkley and Kelley as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

We have also appointed as members of a joint committee, Senators Currie, Haines and King to escort the Lt. Governor to the House Chamber.

By Order,

William B.C. Addison, Jr.
Secretary of the Senate

Remarks by US Senator Benjamin Cardin.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 55)

ADJOURNMENT

At 10:41 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:30 A.M. on Wednesday, January 23, 2008.

Annapolis, Maryland
Wednesday, January 23, 2008
11:30 A.M. Session

The Senate met at 11:49 A.M.

Prayer by Pastor James A. "Pat" Packett, Chesapeake Christian Fellowship, guest of Senator Greenip.

The Journal of January 22, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 60)

INTRODUCTION OF BILLS

Senate Bill 221 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Class B Beer and Light Wine License

FOR the purpose of establishing a Class B beer and light wine license in Garrett County; authorizing the Board of License Commissioners to issue the license for use in certain bona fide hotels, motels, inns, or restaurants; authorizing the Board to issue a license without or with a catering option; specifying the privileges of licenses without and licenses with a catering option; providing for certain issuing and annual fees; authorizing the Board to adopt certain regulations; defining a certain term; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–201(m)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 222 – Senator Edwards

EMERGENCY BILL

AN ACT concerning

Taxes – Admissions and Amusement Tax – Exemption

FOR the purpose of exempting certain bingo and tip jar games in a certain county from a certain State admissions and amusement tax; making this Act an emergency measure; and generally relating to the State admissions and amusement tax on electronic bingo or electronic tip jars.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 4–102(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 223 – Senator Edwards

AN ACT concerning

**Partnership Rental Housing Program – Ownership of Rental Housing –
Certified Housing Development Organizations**

FOR the purpose of adding certified housing development organizations to the list of entities that may own rental housing that is financed by the Partnership Rental Housing Program of the Department of Housing and Community Development; and generally relating to the Department of Housing and Community Development.

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 1–101(a) and (d) and 4–1201(a) and (g)

Annotated Code of Maryland

(2006 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4-1204
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 224 – Senator Glassman

AN ACT concerning

Law Enforcement Officer and Emergency Responder Protection Act of 2008

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a firefighter, rescue squad member, or emergency services responder engaged in fighting a fire, performing emergency services, or proceeding to a fire or other emergency; establishing penalties for a violation of this Act; increasing the penalty for the crime of intentionally causing physical injury to another if the person knows or has reason to know that the other is a law enforcement officer engaged in the performance of the officer's official duties; and generally relating to assaults on law enforcement officers and certain emergency responders.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3-201
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3-203
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 225 – Senator Middleton

AN ACT concerning

Local Correctional Facilities – Inmate Health Care Expenses – Payment Rates to Health Care Providers

FOR the purpose of providing that a local correctional facility that is responsible for payment for certain health care expenses of inmates is only responsible for payment at the lower of certain rates; providing that a county may enter into an

agreement with a health care provider for the provision of health care services at amounts that are higher or lower than a certain rate; defining certain terms; and generally relating to payment rates for health care services provided to inmates confined in local correctional facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–203
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY adding to
Article – Correctional Services
Section 11–205
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 226 – Senators Raskin, Forehand, Frosh, Garagiola, King, Kramer, Lenett, and Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Maryland Youth Ballet

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Youth Ballet, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 227 – Senator Kasemeyer

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

FOR the purpose of altering the calculation of the annual interest rate that the Comptroller sets for tax deficiencies and refunds; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 13–604
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 228 – Senators Munson, Edwards, and Mooney

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Washington County –
Discovery Station at Hagerstown**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the deadline by which the Board of Directors of the Discovery Station at Hagerstown, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (CK)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 229 – Senators Greenip, Colburn, and Mooney

AN ACT concerning

Education – Classroom Instruction Expenditures – Required Funding

FOR the purpose of requiring a county board of education to spend certain revenues in accordance with certain requirements; requiring each county board to spend a certain percentage of total operating expenditures on direct classroom expenditures beginning in a certain fiscal year; requiring a county board to increase direct classroom expenditures by a certain percentage over a certain period of time until the county board reaches a certain percentage if the county board is spending less than a certain required percentage; establishing a certain fiscal year as a baseline year; authorizing a county board to apply for a certain achievement waiver or hardship waiver if the county board does not meet certain requirements; providing for the requirements of an achievement waiver request and a hardship waiver request; prohibiting the State Superintendent of Schools from granting certain hardship waivers except in certain circumstances; authorizing the State Board of Education to impose certain sanctions; requiring the State Board to adopt certain regulations; authorizing the State Superintendent to require certain information for certain purposes; requiring the State Superintendent to adopt certain regulations; defining certain terms;

and generally relating to required funding for classroom instruction expenditures.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–105
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 5–105.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 230 – Senators Greenip, Colburn, Harris, and Mooney

AN ACT concerning

Public School Collective Bargaining Sunshine Act

FOR the purpose of requiring that certain written collective bargaining agreements be made available to the public by county boards of education within a certain number of days following approval of the agreement; requiring the county boards to submit the agreements to the State Board of Education by a certain time; requiring the State Board to store the agreements in a certain repository; requiring the State Board to make the agreements available to the public in a certain manner; requiring county boards and the State Board to collect and make available to the public certain existing agreements within a certain number of days after the enactment of this Act; defining a certain term; and generally relating to collective bargaining agreements for certificated public school employees.

BY adding to
Article – Education
Section 6–412
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 231 – Senators Jacobs, Brinkley, Colburn, Forehand, Glassman, Haines, Kelley, Kittleman, Klausmeier, Kramer, Middleton, Munson, Muse, Simonaire, Stoltzfus, and Stone

AN ACT concerning

Public Schools – Certified Teachers – Flagging Investigative Proceedings

FOR the purpose of requiring a county superintendent of education to send a certain notice to the State Superintendent of Schools that a certain investigative proceeding involving a complaint has been initiated against a certain certificate holder if the complaint alleges certain crimes; requiring that a certain notice be sent within a certain number of days and include certain information; requiring the State Superintendent to place immediately a certain warning flag on a certain certificate holder's file under certain circumstances; requiring a county superintendent to send a certain notice to the State Superintendent regarding the disposition of certain investigative proceedings within a certain number of days after the conclusion of a certain proceeding; providing for a certain penalty; defining certain terms; and generally relating to flagging investigative proceedings in files of certified teachers.

BY adding to

Article – Education

Section 6–202.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 232 – Senator Forehand

EMERGENCY BILL

AN ACT concerning

Alcoholic Beverage Tax – Rates

FOR the purpose of altering State tax rates for alcoholic beverages in Maryland; making this Act an emergency measure; and generally relating to alcoholic beverage tax rates.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–105(a), (b), and (c)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 233 – Senator Exum

AN ACT concerning

Prince George's County – Palmer Park Boys and Girls Club Loan of 2001

FOR the purpose of amending the Prince George's County – Palmer Park Boys and Girls Club Loan of 2001 to require that the proceeds of the loan be encumbered by the Board of Public Works or expended for the purposes provided by a certain date.

BY repealing and reenacting, with amendments,

Chapter 680 of the Acts of the General Assembly of 2001, as amended by Chapter 32 of the Acts of the General Assembly of 2003, and Chapter 30 of the Acts of the General Assembly of 2004
Section 1

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 234 – Senator Exum

AN ACT concerning

Creation of a State Debt – Prince George's County – Palmer Park Boys and Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Palmer Park Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 235 – Senators Raskin, Frosh, King, Lenett, and Madaleno

AN ACT concerning

Creation of a State Debt – Prince George's County – CASA Multi-Cultural Service Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of CASA of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 236 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Walker Mill Daycare and Training Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Walker Mill Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 237 – Senators Currie and Colburn

AN ACT concerning

Creation of a State Debt – Prince George’s County – Aquaculture and Seafood Retail and Distribution Market

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Economic Development and Training Institute, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 238 – Senators Stone, Astle, DeGrange, Della, Forehand, Haines, Harris, Jacobs, Klausmeier, Madaleno, and Muse

AN ACT concerning

Juveniles – Arrests for Reportable Offenses – Expansion of Notification

FOR the purpose of expanding certain provisions relating to the required notification to a local public school superintendent of the arrest of a public school student for a certain reportable offense to apply to the notification of certain nonpublic school official of the arrest of a certain nonpublic school student for a certain reportable offense; providing for the confidentiality of information obtained by the nonpublic school official; making certain conforming changes; defining a certain term; making a certain stylistic change; and generally relating to arrests of juveniles for reportable offenses.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 239 – Senators Kasemeyer, Astle, Brinkley, Conway, Currie, DeGrange, Della, Edwards, Frosh, Garagiola, Jones, Kittleman, Klausmeier, Middleton, Munson, Peters, Robey, Stoltzfus, and Stone

EMERGENCY BILL

AN ACT concerning

Homestead Property Tax Credit

FOR the purpose of repealing a requirement for homeowners to file certain applications to the State Department of Assessments and Taxation to qualify for the homestead property tax credit; repealing certain provisions relating to a certain application requirement; making this Act an emergency measure; and generally relating to the homestead property tax credit.

BY repealing
Article – Tax – Property
Section 9–105(d)(6), (l), and (m)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing
Chapter 564 of the Acts of the General Assembly of 2007
Section 2

BY repealing
Chapter 565 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(d)(1)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 240 – Senators Kelley, Currie, Della, and Jones

AN ACT concerning

Residential Child Care Programs – Behavior Management Intervention

FOR the purpose of prohibiting the use of certain behavior management interventions on children in certain residential child care programs; providing a certain exception under certain circumstances; requiring the staff of a certain residential child care program to determine if a certain behavior management intervention may be used on a child; requiring the staff to consider certain factors before deciding to include a certain behavior management intervention in a child's individual service plan; requiring a staff that needs to use a certain behavior management intervention on a child whose individual service plan does not include that intervention to consider including its use in the child's plan; requiring the staff to document, in certain detail, an incident in which the staff uses physical restraint as a behavior management intervention; requiring the program to notify the parents or legal guardian of a child, within a certain period of time, when physical restraint is used on the child; requiring the Department of Juvenile Services, the Department of Human Resources, the Department of Health and Mental Hygiene, and the Governor's Office for Children jointly to adopt regulations to implement this Act; requiring these departments and the Office to seek input from certain groups in writing the regulations; requiring these departments and the Office jointly to develop standards for physical restraint training, develop an application and approval process for individuals who want to provide certain training, and establish a list of approved trainers to provide certain training; requiring a residential child care program to develop certain policies and procedures concerning its behavior management interventions; providing for the application of this Act; defining certain terms; and generally relating to behavior management interventions in residential child care programs.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(a) and (p)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 8–101(a) and (k)
Annotated Code of Maryland
(2007 Volume)

BY adding to
Article – Human Services
Section 8–1101 through 8–1106 to be under the new subtitle “Subtitle 11.
Residential Child Care Programs – Behavior Management Interventions”
Annotated Code of Maryland
(2007 Volume)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**Senate Bill 241 – Senators Kelley, Conway, Currie, Forehand, Jones, and
Lenett**

AN ACT concerning

Child Welfare – Reports of Children at Substantial Risk of Abuse or Neglect

FOR the purpose of requiring certain professionals to notify the local department of social services or the appropriate law enforcement agency if the professionals have reason to believe that a child is at substantial risk of abuse or neglect because the child is regularly permitted to associate with a certain individual; providing certain exceptions; describing the information that is to be included in a certain report; providing for the receipt and investigation of a report that a child is at substantial risk of abuse or neglect; requiring the Secretary of Human Resources to adopt certain regulations; requiring the local department or the appropriate law enforcement agency to take certain actions within a certain time period after receiving a report; requiring an investigation to be completed within a certain time period; authorizing and requiring the local department to take certain actions after completion of an investigation; providing for expungement of certain reports; providing certain liability for certain persons who make or participate in making certain reports; and generally relating to reports of children at substantial risk of abuse or neglect.

BY adding to
Article – Family Law
Section 5–704.1 and 5–706.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law

Section 5-707(b) and 5-708
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 242 – Senator Kelley (Chair, Joint Committee on Access to Mental Health Services) and Senators Astle, Conway, Gladden, Jones, Kasemeyer, Middleton, and Peters

AN ACT concerning

Department of Health and Mental Hygiene – Developmental Disabilities and Mental Health Services – Cost-of-Living Adjustment

FOR the purpose of requiring that in certain fiscal years the fees paid by the Department of Health and Mental Hygiene to a community developmental disabilities services provider or a community mental health services provider be adjusted annually by a certain rate of change as recommended by the Community Services Reimbursement Rate Commission; and generally relating to the Department of Health and Mental Hygiene and fees paid to community developmental disabilities and mental health services providers.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 16-201.2
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 243 – Senators Kelley, Conway, Currie, Della, Exum, Forehand, Gladden, Jacobs, Jones, Lenett, Middleton, and Stone

AN ACT concerning

Child Abuse and Neglect – Additional Professions and Failure to Report – Penalty

FOR the purpose of expanding the list of individuals who are specifically required to notify the appropriate authorities and make a certain report in a certain manner if the individual, acting in a professional capacity in this State, has reason to believe a child has been subjected to abuse or neglect; making it a misdemeanor, subject to a certain penalty, for certain health practitioners, police officers, educators, coroners, medical examiners, parole and probation agents, computer technicians, and human service workers to fail to provide a certain notice or make a certain report of suspected child abuse or neglect under

certain circumstances; and generally relating to reporting child abuse and neglect.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–704
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 244 – Senator Haines

AN ACT concerning

Criminal Law – Use of Firearm in the Commission of a Crime of Violence or a Felony

FOR the purpose of prohibiting the use of certain firearms in the commission of certain crimes of violence or felonies; defining a certain term; and generally relating to the use of certain firearms in the commission of certain crimes of violence or felonies.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–204
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 245 – Senators Frosh, Brochin, Dyson, Pinsky, and Raskin

AN ACT concerning

Campaign Finance – Affiliated Business Entities – Attribution of Contributions

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–226(e)
Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 246 – Senators Frosh, Brochin, Conway, Dyson, Forehand, Garagiola, Gladden, King, Kramer, Lenett, Madaleno, Pinsky, Raskin, and Rosapepe

AN ACT concerning

Agriculture – Fertilizer – Phosphorus Content Reduction

FOR the purpose of prohibiting a certain fertilizer from being labeled in a certain manner; requiring a certain fertilizer to be marked with certain words in a certain manner; prohibiting a person from using, selling, manufacturing, or distributing certain fertilizer after a certain date unless it is low phosphate fertilizer; requiring certain manufacturers to reduce phosphorus levels resulting from the application of its lawn care products by a certain amount and by a certain date; requiring certain manufacturers to report certain phosphorus levels annually to the Department of the Environment after a certain date; authorizing the Department of the Environment to adopt certain regulations; defining certain terms; and generally relating to fertilizer and phosphorus.

BY repealing and reenacting, with amendments,

Article – Agriculture
Section 6–201 and 6–210
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to

Article – Agriculture
Section 6–222
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 247 – Senators Middleton and Dyson

AN ACT concerning

Creation of a State Debt – Charles County – Hospice House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Hospice of

Charles County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 248 – Senator Currie

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Prince George’s
County – Ernest Everett Just Monument**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to alter a requirement that the Board of Directors of The Ernest Everett Just Foundation, Inc. provide a certain matching fund; and generally relating to the Maryland Consolidated Capital Bond Loan of 2007 and the Ernest Everett Just Monument.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(AV) and Item ZA02(BL)

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 61)

RECESS

At 11:59 A.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until Noon to the House Chamber for the State of the State Address on Wednesday, January 23, 2008.

**AFTER RECESS
Annapolis, Maryland
Wednesday, January 23, 2008
12:00 P.M. Session**

At 12:09 P.M., the Senate resumed its session in Joint Session in the House of Delegates Chamber.

JOINT SESSION

Delegates Rice and King escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

QUORUM CALL

The President of the Senate announced a quorum call, showing 46 Members present.

(See Roll Call No. 61A)

Speaker Busch called for the House roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See House Roll Call No. 25)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators Currie, Haines, and King and Delegates Ross, V. Turner, and Weldon escorted the Lieutenant Governor to the Rostrum.

Senators Kasemeyer, Brinkley, and Kelley and Delegates F. Turner, Tarrant, and Aumann escorted the Chief Executive to the Speaker's Rostrum.

Speaker Busch presented the Chief Executive of Maryland, Governor Martin O'Malley.

The Chief Executive addressed the General Assembly.

STATE OF THE STATE ADDRESS

**Governor Martin O'Malley
State of Maryland
House of Delegates Chambers
Annapolis, Maryland**

January 23, 2008

Thank you. If you all would remain standing for just one second -- before I begin our talk here about the urgent business of building a better future for our State, there's some really important people here in the gallery and in the audience with us. I ran into the family of Officer Christopher Nicholson, the Smithburg officer who died in the line of duty protecting us. And in addition to that, we're joined by the family of Maryland Transportation Authority Police Corporal Courtney Brooks, who was tragically taken from us and we thank you for being here as well. Our hearts go out to you, and we'll never be able to repay the debt of gratitude we owe you, but we thank you for being here.

My friends, over the last year four State and local law enforcement officers and one firefighter gave their lives in the line of duty. And twenty of our sons and daughters gave their lives for us fighting in Iraq and Afghanistan.

So I ask you to just join me, before we talk here, in a moment of silence in their honor.

Thank you very much.

Thank you. Mr. Speaker, Mr. President, Mr. Chief Judge, Mr. Attorney General, Mr. Comptroller, Madam Treasurer, Mayor of the District of Columbia Adrian Fenty, former Governors, former Attorney General Joseph Curran, Judge Katie O'Malley, Ambassador Collins, Ambassador Bruton, my colleagues in local Government, men and women of the Maryland General Assembly, my fellow citizens.

We gather today in the very building where, since Revolutionary times, generation after generation, the people of our State have come to assess our strength and our weaknesses as a community and to decide how we will overcome the challenges of our times.

The most important days are not always the easy days, but time and time again we have overcome challenges because of our respect for the dignity of every individual, because of our commitment to the common good, and because we have had the courage to protect our priorities especially when we are faced with times of great adversity.

For these reasons Maryland has been a strong State and, in many respects, we're stronger today than we were at this same time last year. But the future of our State is very much determined by the strength and the security of the families of Maryland,

the hardworking and loving families that we have the honor and the responsibility to represent in this place.

And today the vast majority of Maryland's families, like families throughout our country, are finding it harder and harder just to pay their bills and maintain the quality of life that they have worked so very, very hard to achieve.

And this is not just a Maryland problem, this is a national problem. For the sad truth of our shared reality is that over the last seven years, real wages in our country have risen by just about 1 percent. And, unfortunately, as all of us know, all of the other essential things that a family needs to survive have grown by a lot more than just 1 percent, haven't they?

Over the last seven years the price of a gallon of milk is up 30 percent, the price of a loaf of bread is up 20 percent, and yet real wages have only increased by 1 percent. The price of a gallon of gasoline, up 100 percent over those last several years. The price of health insurance is up 78 percent and yet real wages have increased in our nation by only about 1 percent.

Our families are struggling to get ahead, our parents are working harder and harder as national forces and trends keep pulling them back. A dollar that's being devalued by huge mounting national debt, rising unemployment in the nation, and look at the foreclosures -- unprecedented in modern times.

Home foreclosures in our State alone are up 600 percent since last year. And, of course, we didn't need those numbers to tell us that, did we? We can see it in the eyes of the people that we serve, we can hear it in their voices. People are concerned, and rightly so.

No wonder then that so many of us were frustrated when in the midst of this national economic downturn we were also forced to confront a long neglected structural deficit. The frustration is totally understandable and there is good reason for all of us to be concerned and worried about our economic future.

But I submit to you that the way that we get through this, the way that we get through these tough times together and the way that we get through them more quickly than other States in the union is not by abandoning our priorities, but by protecting our priorities.

The Priorities That Unite Us in Maryland

The most important things in life are not always the easy days, but our State has weathered difficult times before and we're going to weather these difficult times now.

And we're going to come through this more quickly than other States, but only if we can continue to protect the priorities of our people, to protect and strengthen our middle class, our family owned businesses and our family farms. To protect our

communities so that we can improve public safety and public education in every part of our State and to protect opportunity; the opportunity to learn, to earn, to enjoy the health of the people we love, as well as the health of the environment that we love, the Bay that we love -- for more people rather than fewer.

Yes, to get through these tough times, my friends, the people of our State are working as hard as they can to protect their families and defend their quality of life. And in their hearts they expect us to do the same, even when it's not easy and even when it's not politically popular.

Restoring Fiscal Responsibility

At this same time last year you will recall that days after officially inheriting a crushing deficit, this new administration presented a budget to you that had been cut by \$400 million. Months later we cut another \$280 million out of that budget. And over the last few months of important work we were able to reduce spending growth by another \$552 million.

The budget that we have now presented to you for consideration for this upcoming year actually comes in, for the second year in a row, under spending affordability. And because of the \$1.2 billion in cuts and spending reductions and because of the other difficult choices on revenues, we are able now to protect the priorities of our people. The priority of public education and school construction, the priority of public safety, the priority of more affordable health care.

And because you had the courage to restrain spending and restore fiscal responsibility, we can stand up and we can stand up this year to end the fast track to foreclosure that has been allowed to exist in the law in Maryland and we can also help thousands of families slipping into foreclosure.

We can also hold the line against the rising cost of college tuition. Hardworking families in Maryland should be able to send their kids to schools in Maryland. Don't you think?

Joining us in the gallery is a young man, returning Marine, proud son of our State, and he's going to be able to attend the University of Maryland College Park and he's going to be using the Veterans of Afghanistan and Iraq Scholarship Program that you created. He has returned home, completing his third tour of duty for us in Iraq and he's with us. I'd like you to acknowledge his presence here and the service of United States Marine Lance Corporal Will Amos.

It's all about protecting the priorities of our people and we have now the ability to do that. And we also have the ability to make our Government work again. And to make our Government work on behalf of the best interest of the people of our State and that's what we're going to do.

The people of our State deserve a State Government that works as hard as they do.

Working For a Stronger Maryland

Last year we implemented performance measured management and accountability on a level never before attempted in any other State, with the creation of StateStat. Today, 13 different departments or agencies are now participating in performance measured Government in order to improve efficiency and service delivery for the people of our State.

One year ago I came before you and pledged to make our port, the Port of Baltimore, a leader in Homeland Security, rather than a subject of ridicule on security. We're not there yet, but one year later I can tell you that our port, the closest deep-water port to our nation's capital, is more secure, is better prepared and also better equipped to deal with threats than we were at this same time last year. And I ask for your continued support as we bring in the best minds from around the country to take us to that next level of preparedness.

Last year we announced the formation of the BRAC subcabinet, led by Lt. Governor Anthony Brown. And since that time, after countless meetings and collaborations with businesses and military leaders, with our Congressional delegations and leaders of our towns and our cities and our counties, Lt. Governor Brown has allowed us not only to come together to publish a BRAC Action Plan for harnessing the opportunity of the thousands of jobs that are going to be coming to Maryland in the years ahead, but because of your help in restoring fiscal responsibility, we're now going to be able to make substantial progress towards implementing that plan.

Last year this administration pledged to develop a State-wide vision for transportation and because of the tough choices that you made, we are actually going to be able to move forward with making that vision happen. Moving forward with action. Action like resurfacing portions of I-58 and I-81 in Western Maryland.

Forward with the next phase of widening U.S. 113 on the Eastern Shore and the planning study to improve traffic flow and safety near Ocean Pines. And in Southern Maryland we're moving forward with major improvements in the Waldorf area.

We will also move forward with a more balanced plan of action for the next generation of mass transit in Maryland.

Like expanded MARC service, dedicated funding for Metro and also the next steps in creating the purple line and the corridor city transit roads.

And in Baltimore, Mayor Dixon will be moving forward with the red and green lines in Baltimore.

Last year we also pledged to roll up our sleeves together to find ways to bring the rising costs of health care under control, while improving access for our people. And

the Health Care Reform Act, which you passed two months ago, will ultimately allow us to cover more than 100,000 Marylanders who currently don't have insurance.

And why is that important? Well, it's important on a whole number of levels. Certainly important for those 100,000 Marylanders and their families, but it's also important because it allows us to expand access to preventive care, which will, in turn, allow us to stabilize costs and provide incentives for many small family-owned businesses for the first time who want to join the ranks of the insured in our State. Thank you, Delegate Hammond and Senator Middleton for your hard work on that.

Last year we also vowed to use open space dollars for the purchase of open space. But we started to do some other things as well. We start to apply performance measured management to the huge challenge of cleaning up the Chesapeake Bay with BayStat. Hundreds of years ago John Smith made the first map of the Chesapeake Bay, we're constructing the second one. And this one will be a map that's parcelized, it allows GPS and that sort of coordination to bring together all of the efforts of agriculture, DNR, Department of Environment, Planning, and County Governments in order to see what we are doing in this critical Bay watershed and how we can do a better job of restoring her health.

We have more cover crop enrollments than ever before, while continuing oyster restoration efforts to help the Bay and our watermen. And with your creation of the Chesapeake Bay Trust Fund, we can do even more in the upcoming year.

Public Safety and Violent Crime

But as we look to the year ahead, I'd like to go back, too, and begin really again with the most fundamental priority and responsibility that any Government has to its people. And that is to safeguard the lives of our citizens, the safety of our citizens, our neighborhoods and our communities.

Public safety is the foundation of any civilized society and in Maryland we have the opportunity to make our State the safest State in the union, instead of allowing ourselves year after year to be ranked as one of the most violent States in the union.

For too long we've allowed ourselves to look at violent crime as a socioeconomic problem or some sort of thorny cultural problem or something that just defies solution because that's just the way it is.

And most sadly of all, that sort of defeatist, low expectation attitude is too often rooted in the opinions that we hold consciously and subconsciously of our fellow neighbors, because of differences of race or class or place.

But this problem of ours, this problem in Maryland, is not the concern of one race or one city or one county, it is everyone's problem. As Robert Kennedy told us 40 years ago, and I quote, "The victims of violence are black and white, rich and poor, young

and old, famous and unknown, they are, most important of all, human beings, whom other human beings loved and needed.

Whenever any American life is take by another American unnecessarily, whether it is done in the name of the law or in defiance of the law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence, whenever we tear at the fabric of a life, which another man has painfully and clumsily woven for himself and his children, the whole nation is degraded.”

My fellow citizens, we've allowed our one Maryland to be degraded by violence for far too long. One of our highest priorities this year will be to fight back against violent crime -- whenever and wherever it occurs in the State of Maryland.

One year ago I shared with you, you may recall, how deeply concerned I was about how troubled so many of our departments that are involved in public safety were. Well, over the course of this year we have begun to make progress, we really have.

Working hard every single day to turn the situation around, so that our State gets back into the business of supporting local police departments and communities everywhere in our State in the fight against violent crime.

Over the course of this last year we closed the House of Correction and we opened a safer and more modern facility.

We also overhauled, at long last, Parole & Probation and the way that they had in the past of figuring out who should be at the highest level of supervision. We are now in a much better position and have already zeroed in on the most violent predators with far more intensive supervision.

We have better diagnostic tools also in place at Juvenile Services, so that we can prevent violence, heal families, and prevent the loss of young lives to homicide.

We have created a Violence Prevention Unit at Parole & Probation to partner with local police and prosecutors so that we can legally and quickly remove the most violent offenders from our streets before they can murder again.

We have also created two Regional Gun Task Forces with local governments, including our neighbors in the District of Columbia, to take guns off our streets. Thank you, Mayor Fenty, for helping us do that.

Led by General Maynard and also by Colonel Sheriden, we are systematizing the collection, the analysis and the relaying of gang intelligence to local police departments so they can act on it to save lives.

And finally, last year we were able to knock out what had become a really shameful backlog of 24,000 DNA fingerprints, if you will, that had been taken from those

convicted of violent crimes, but had never been analyzed by our State crime lab. Can you imagine that?

Cases are now being solved, I'm glad to tell you. They're being solved, violence prevented, as Maryland finally makes better use of DNA fingerprinting and its potential to solve and prevent violent crimes.

And in the year ahead I want to ask for your support for several important things on this front. Number one, to add 50 additional officers to more closely and intensely supervise those who are released back into our communities on parole and probation.

Number two, to embark on a long overdue rebuilding of the minimal number of modern, regional facilities for our long, long ignored Juvenile Services system.

Number three, to expand the utilization of modern GPS tracking technology so that we can save the lives of our most at-risk young offenders in some of our most challenged and violence-plagued neighborhoods, to save their lives and rescue them from the clutches of the hitmen and drug dealers.

Number four, I need your help to increase the availability of drug treatment programs, as well as community based programs like Operation Safe Kids so that we can do a much better job of partnering with our county health departments in order to save young lives.

But most importantly I urge your support for legislation that is supported by virtually every police chief in every town and county in our State. It is supported by virtually every prosecutor, every State's Attorney in the State of Maryland. And that is an expansion of our State's DNA fingerprinting efforts so that we can solve more violent crimes more quickly and put murderers and rapists behind bars before they murder or rape again.

If you look at the evolution of this technology, it follows almost exactly the evolution that happened after the advent of fingerprinting. Eleven other States now, including Virginia, collect DNA prints from those that are charged with violent crimes. And given the level of violence that we have in our State, there really is no justifiable reason that Maryland should not be in the forefront of using this modern crime solving tool, rather than lagging behind.

Protecting the Priorities of Our People

Yes, to come through these tough times as quickly as possible, we must protect the priorities of our families. And we have tremendous challenges ahead of us.

On health care we need, in the coming year, to advance health care IT and to extend dental care for children so that no child in any county ever dies because of an inability to get dental treatment for a tooth ache.

There are also thousands of Marylanders returning from service in Iraq and in Afghanistan. The modern day Maryland 400, if you will. And they were there for us. They went there for us, and we need to be there for them. And that's why I ask for your support and engagement on a series of bills, that the Lt. Governor has also been working on, to ensure that their health and well-being is protected when they come home to Maryland. We owe that to them.

On improving Maryland's Homeland Security and preparedness many efforts are underway to better integrate emergency preparedness, emergency information sharing, and finally, to bring into service for the first time a truly statewide – that's a small S on statewide -- a truly statewide system of interoperable communications so that all of our first responders will be able to talk to each other in the event of a large emergency.

I ask for your support as we bring former FEMA Director James Lee Witt, who I understand is with us today, to Maryland to assess our level of preparedness and make recommendations for making Maryland safer and better prepared in the face of natural and manmade threats.

On the health of the Bay, we have to continue to search for ways to make farming more profitable, we have to move as quickly as we can to upgrade our water treatment facilities and treatment plants. We also have to move quickly to fulfill our obligations with the District of Columbia and our other neighbors in the Bay watershed, importantly on this score, Pennsylvania and Virginia, in order to preserve and ultimately expand forest cover.

Last year you passed the Stormwater Management Act and you also passed the Clean Cars Act. This year I will ask for your support and for your ideas as we search for ways to update our Critical Area Law, so that massive developments like the Four Seasons project on Kent Island, are prohibited at the first step in the process and not at the last step. Right, Governor Hughes?

On education we must find better ways to recruit great principals to our most challenged schools, to improve outcomes in science, technology and engineering and math. Right, Chancellor Kerwin?

And we must do a better job of listening to our teachers in a regular systematic way, so that we are constantly improving the learning process and improving the working conditions in our classrooms that are so very essential to recruiting and retaining the highest quality teachers we possibly can for our kids.

And we also have to rededicate ourselves to reducing our drop-out rate with better career and technical programs available to high schools in every district where kids want them.

On workforce creation I also ask for your support on proposals that will reduce the nursing shortage that exists throughout our State, and on our broader efforts to equip

the 750,000 chronically under-educated adults in Maryland with the skills that they need to compete and to win and to care for their families in this new economy. We can and we must do better on this score. Workforce is critically important to Maryland's economic future. We have to build a new system for educating our adults and harnessing the potential of our entire workforce. Every single person matters.

There are Marylanders with disabilities who are talented and hardworking and want to get into the workforce with just a little bit of help and training.

Also, there are new Americans who remind us every day, in the words of Maryland's Harriet Tubman, that we were all once strangers in a strange land. And they have brought their talents here to build a better Maryland.

We must also better align the education needs of our adults with the workforce needs of our employers and I urge you to support our proposal to bring our adult education system into the 21st Century.

In terms of our pursuit of a more sustainable future for the land, the air, the water that we share, I urge your support for new legislation to promote transit-oriented development.

I also look forward to working with you in the development of science, technology and public education that it will take to combat climate change and improve energy conservation and energy efficiency and to make Maryland a leader in the development of renewable energy and green building techniques of all kinds.

Our country needs us and we've got to be there in the forefront.

And of course, in order to protect Maryland's future, we must address Maryland's energy needs.

The task before us, as you so well know, is to develop a long-term plan for energy generation, distribution, and conservation. And it will not be easy. It will take a sustained commitment from our political leadership to turn that vision over time into reality. The days of cheap abundant energy are past, but that does not mean that our only options are crippling energy bills and rolling brown-outs.

In the coming weeks, in the coming months, and in the coming years, we are going to be undertaking a number of efforts -- legislative, regulatory -- and, if need be, legal -- to secure fair and reasonable energy rates while also ensuring an adequate supply for our future. Deregulation has failed us in Maryland and we cannot allow our future to be determined by that mistake. We have to move forward.

Conclusion

In conclusion, my friends, the most important days in life are not always the easy days.

As we work our way through the important and difficult days ahead, let's not forget the good that God has given us in our lives, of our families, of our friends, of our neighbors, and all of the people in this State, where our diversity is our strength, that we call home, our fellow Marylanders.

Let's stay focused on the fact that people are counting on us to make these tough times more bearable. Let's work together -- regardless of personality, regardless of party or place -- to face the challenges ahead.

We know that Maryland is a stronger State than most. We can get through these tough economic times more quickly than other parts of our country, but only if we continue to come together to protect the priorities that make us strong.

We come here to make a positive difference for our neighbors; that's why we come here. That's what Senator Britt did and that's what Delegate Lawton did. And that's what we are going to continue to do. We must take it from here, Bishop Muse, striving to do all that we can for the working people we have the privilege to serve and the one Maryland we carry in our hearts.

God bless you all and thank you.

Senator Kasemeyer moved that the Chief Executive's remarks be journalized.

The motion was adopted.

Delegate Barve moved that the Chief Executive's remarks be journalized.

The motion was adopted.

Senators Currie, Haines, and King and Delegates Ross, V. Turner, and Weldon escorted the Lieutenant Governor from the Chamber.

Senators Kasemeyer, Brinkley, and Kelley and Delegates F. Turner, Tarrant, and Aumann escorted the Chief Executive from the Chamber.

Senator Kasemeyer moved that the Senate be adjourned.

The motion was adopted.

ADJOURNMENT

At 12:51 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 24, 2008.

**Annapolis, Maryland
Thursday, January 24, 2008
10:00 A.M. Session**

The Senate met at 10:11 A.M.

Prayer by The Reverend Richard Jewell, John Wesley United Methodist Church, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 23, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Jacobs be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 64)

INTRODUCTION OF BILLS

Senate Bill 249 – Senator Stone (By Request – Committee to Revise Article 27 – Crimes and Punishments)

AN ACT concerning

Criminal Law – Narcotic Drug – Enhanced Penalties

FOR the purpose of adding conspiracy to distribute certain narcotic drugs and the commission of a certain crime in another state as predicates for a certain enhanced penalty for certain offenses relating to narcotic drugs; and generally relating to narcotic drugs and enhanced penalties.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–608
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 250 – Senator Stone (By Request – Committee to Revise Article 27
– Crimes and Punishments)**

AN ACT concerning

**Criminal Law – Forgery of Signature and Counterfeit Documents –
Prohibition**

FOR the purpose of prohibiting a person from writing, signing, or possessing certain counterfeited documents; prohibiting a person from forging, falsifying, or counterfeiting the signature of certain persons; establishing certain penalties; providing that a certain crime is not covered by the 1–year statute of limitations for a misdemeanor; making stylistic changes; and generally relating to prohibitions on forgery of signatures and counterfeit documents.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–605
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to
Article – Criminal Law
Section 8–606.1
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 251 – Senator Astle

AN ACT concerning

Anne Arundel County – Well Drillers – Permit Fee

FOR the purpose of requiring the Anne Arundel County Board of Health to set the permit fee for well drillers so as to produce funds to approximate the cost of certain services; and generally relating to the well drillers permit fee in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1307
Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 252 – Senator Astle

AN ACT concerning

Anne Arundel County – Prospective Employees – Criminal History Records Checks

FOR the purpose of altering the requirements for the Director of Administration of Anne Arundel County to request State and national criminal records checks from the Criminal Justice Information System Central Repository for a prospective employee; requiring the Director of Administration of Anne Arundel County to submit certain items to the Central Repository; requiring the Central Repository to forward the prospective employee's criminal history information to the prospective employee and the Director of Administration of Anne Arundel County; providing that certain information obtained from the Central Repository is confidential, may not be redisseminated, and may only be used for a certain employment purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain printed statement; authorizing the County Council to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks for prospective employees in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–231
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 253 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Industry

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Museum of Industry, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a

deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 254 – Senators Brochin and Stone

AN ACT concerning

Crimes of Violence – Parole

FOR the purpose of altering the portion of a sentence that must be served before individuals convicted of certain violent crimes can be paroled; altering the portion of a sentence that must be served before persons convicted of certain violent crimes can receive a certain administrative review; providing for the application of this Act; and generally relating to parole and crimes of violence.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–301
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 255 – Senators Brochin and Stone

AN ACT concerning

Criminal Law – Reckless Endangerment – Use of a Motor Vehicle

FOR the purpose of creating certain exceptions to an exclusion of conduct involving the use of a motor vehicle from the crime of reckless endangerment; and generally relating to reckless endangerment.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–204
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 256 – Senator Brochin

AN ACT concerning

Criminal Procedure – Dismissal of Criminal Proceeding – Failure to Provide Interpreter

FOR the purpose of prohibiting a court from dismissing a criminal proceeding based on a certain violation of the right to a speedy trial unless the court holds a certain hearing; requiring the court to make certain detailed written findings before dismissing the case when the court is unable to provide a qualified interpreter for a defendant who cannot readily understand or communicate the English language; requiring the court to address certain issues when making certain findings; and generally relating to the dismissal of a criminal proceeding for failure to provide an interpreter.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–202
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 257 – Senators King, Astle, DeGrange, Edwards, Forehand, Garagiola, Kelley, Kramer, Madaleno, Middleton, Peters, Robey, and Stone

AN ACT concerning

Sales and Use Tax – Computer Services – Government Contracts Exemption

FOR the purpose of exempting from the sales and use tax certain computer services used in fulfilling certain contracts; providing for the termination of this Act; and generally relating to a sales and use tax exemption for the sale of certain computer services.

BY adding to
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 258 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Pathway’s Facility Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Pathway's Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 259 – Senators Middleton and Edwards (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators Astle, Brinkley, Colburn, Currie, DeGrange, Della, Exum, Garagiola, Glassman, Greenip, Haines, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Program Open Space – Attainment of Acquisition Goals – Increased Allocation for Local Government

FOR the purpose of altering the amount a local government can spend on development projects after it has attained its acquisition goals under Program Open Space; and generally relating to the apportionment of local government funds for Program Open Space.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–905(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 260 – Senator Edwards

AN ACT concerning

Garrett County – County Commissioners – Agricultural Districts

FOR the purpose of requiring the Garrett County Board of County Commissioners to adopt certain rules, regulations, and procedures in accordance with certain requirements for the establishment of agricultural districts in Garrett County; prohibiting certain rules, regulations, and procedures adopted by the Commissioners from requiring a natural gas rights owner or lessee to

subordinate its interest to the Commissioners' interest under certain circumstances; prohibiting the Maryland Agricultural Land Preservation Foundation from purchasing certain easements in Garrett County under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to agricultural districts in Garrett County.

BY adding to

Article 25 – County Commissioners
Section 237
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 261 – Senators Glassman and Jacobs

AN ACT concerning

**State Parklands – Lease to Sewage Sludge Application Companies –
Prohibition**

FOR the purpose of prohibiting the Department of Natural Resources from leasing certain parklands to a certain lessee engaged in the land application of sewage sludge under certain circumstances; and generally relating to prohibiting the Department of Natural Resources from leasing certain parklands to a company engaged in the land application of sewage sludge.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 10–305(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 262 – Senators Glassman and Jacobs

AN ACT concerning

**Task Force to Review the Lease of State Park Lands for Sewage Sludge
Application**

FOR the purpose of establishing a Task Force to Review the Lease of State Park Lands for Sewage Sludge Application; establishing the membership of the Task Force; requiring the Governor to designate the chair of the Task Force;

providing for the staffing of the Task Force; providing for reimbursement of the expenses of a member of the Task Force; requiring the Task Force to study certain facts, policies, and procedures related to the lease of State park lands for sewage sludge application and to make certain recommendations; requiring the Task Force to report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Review the Lease of State Park Lands for Sewage Sludge Application.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 263 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Center for Urban Families

FOR the purpose of authorizing the creation of a State Debt in the amount of \$1,500,000, the proceeds to be used as a grant to the Board of Directors of the Center for Fathers, Families and Workforce Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 264 – Senators Pugh, Conway, Currie, Della, Garagiola, Glassman, Kasemeyer, Lenett, Madaleno, McFadden, Rosapepe, and Stone

AN ACT concerning

High School Dropouts – Alternative Education Programs and GED Requirements

FOR the purpose of requiring certain representatives of county boards of education to provide information concerning alternative education programs and GED program requirements and testing locations to certain individuals; and generally relating to the provision of educational information to individuals who no longer attend high school.

BY adding to

Article – Education

Section 7–302.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 265 – Senators Stone, Frosh, Gladden, Muse, and Raskin

AN ACT concerning

State Government – Administrative Procedure Act – Scope of Judicial Review

FOR the purpose of expanding the circumstances under which a court may reverse or modify a final decision in certain contested cases under the Administrative Procedure Act; and generally relating to judicial review of an administrative decision.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–222(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–222(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 266 – Senators McFadden and Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland School for the Blind

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,200,000, the proceeds to be used as a grant to the Board of Directors of Maryland School for the Blind, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 267 – Senators Simonaire, Edwards, Glassman, Haines, Jacobs, and Kittleman

AN ACT concerning

Income Tax – Subtraction Modification – Public School Volunteer Aides

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain qualifying volunteer aides; requiring a county superintendent or the superintendent's designee to provide certain volunteer aides with a certain certification; requiring the State Board of Education to create and provide a certain form; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain qualifying volunteer aides.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–106(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 268** through **Senate Bill 270** to be referred immediately to the appropriate committees.

The motion was adopted.

Senate Bill 268 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Forehand, Frosh, King, Lenett, Madaleno, and Rosapepe

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

FOR the purpose of repealing the Maryland Renewable Energy Fund and establishing the Maryland Strategic Energy Investment Program in the Maryland Energy Administration; establishing the purpose of the Program; establishing the duties of the Administration under the Program; establishing the Maryland Strategic Energy Investment Fund; providing that the Fund is a special, nonlapsing fund not subject to a certain law; requiring the Treasurer to hold the Fund and the Comptroller to account for the Fund; providing for the funding of the Fund; requiring the Administration to use the Fund for certain purposes; limiting the use of funds from certain compliance fees to certain purposes; requiring the Fund to be invested in a certain manner; requiring the investment earnings from the Fund and the repayment of principal and interest on loans made from the Fund to be paid to the Fund; requiring expenditures from the Fund to be made by certain appropriations or budget amendments; authorizing the Administration to enter into certain contracts with certain parties for certain purposes; prohibiting a person from knowingly making or causing to be made certain false statements; establishing that a certain violation is a misdemeanor; establishing certain penalties; providing for the transfer of certain moneys from the Maryland Renewable Energy Fund to the Maryland Strategic Energy Investment Fund; defining certain terms; and generally relating to the Maryland Strategic Energy Investment Program.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–701(a)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–701(c) and 7–705(b)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing
Article – Public Utility Companies
Section 7–707
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 9–20B–01 through 9–20B–07 to be under the new subtitle “Subtitle 20B.
Maryland Strategic Energy Investment Program”
Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 269 – The President (By Request – Administration)

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use
in Highway Work Zones**

FOR the purpose of expanding to all counties in the State the authority to use certain speed monitoring systems to enforce certain highway speed laws under certain standards and procedures; altering the maximum fine for a violation of law enforced by means of a speed monitoring system; prohibiting the use of a speed monitoring system in a local jurisdiction unless authorized by the governing body by ordinance or resolution adopted after reasonable notice and a public hearing; requiring certain local ordinances or resolutions to provide for the issuance of warnings during a certain period for certain violations; increasing the maximum speed limit for the purpose of establishing residential highways on which speed laws may be enforced using speed monitoring systems; requiring a local jurisdiction to publish a certain notice before activating a certain speed monitoring system; requiring the Chief Judge of the District Court to consult with certain agencies in adopting certain procedures; clarifying that certain fines for certain motor vehicle violations shall be paid to the District Court; expanding the pool of entities authorized to administer a speed monitoring program; authorizing the placement of certain work zone speed control systems on certain highways under certain circumstances; providing that the revenues from civil fines collected under this Act shall first cover the costs of implementing and administering the work zone speed control system; limiting the issuance of citations to owners or drivers of vehicles that exceed certain speeds; requiring a work zone speed control system operator to complete certain training and follow certain procedures; requiring a work zone speed control system to undergo certain calibration; requiring the State Highway Administration to place a certain road sign within a certain distance of a highway work zone containing a speed monitoring system; providing that certain owners or drivers of motor vehicles, recorded by a work zone speed control system while being operated in violation of certain speed limit laws, are subject to certain penalties; authorizing certain police departments to mail a certain citation to the owner of a motor vehicle; establishing certain civil penalties for a violation of certain provisions of this Act; requiring certain citations to include certain information; authorizing a police department to send a warning instead of a citation under certain circumstances; authorizing the police department to reissue a citation to the driver of a vehicle under certain circumstances; requiring certain citations to be mailed within certain time periods; requiring the District Court to prescribe a certain citation form and to indicate the amount of a certain civil penalty on the citation; establishing the standard of proof in a trial for certain violations of this Act; authorizing persons receiving certain citations to have the work zone speed

control system operator be present and testify at trial; providing that certain persons are responsible for paying the civil penalty indicated on the citation under certain circumstances; providing that persons receiving certain citations may elect to stand trial in the District Court; establishing defenses that the District Court may consider; authorizing vehicle owners to submit a certain letter to the District Court to establish a certain defense; authorizing the Motor Vehicle Administration to impose certain penalties if the person cited for violating certain provisions of this Act fails to pay the civil penalty or contest liability; prohibiting certain violations under this Act from being considered for certain purposes; providing for the admissibility and use of certain evidence; modifying the jurisdiction of the District Court to include certain proceedings; providing for the handling of certain court costs and penalties; clarifying certain language; prohibiting an insurer from considering a certain civil penalty for purposes of reclassifying an insured; prohibiting the custodian of recorded images produced by a work zone speed control system from allowing inspection of the recorded images, subject to certain exceptions; requiring the Department of State Police and the State Highway Administration jointly to adopt regulations establishing the standards and procedures for work zone speed control systems; providing that the fees of certain contractors may not be contingent on the number of citations issued or paid under this Act; requiring the issuance of warnings for a certain time period for certain violations; defining certain terms; repealing a certain definition; altering a certain definition; making certain stylistic changes; making a technical correction; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; requiring certain local jurisdictions to issue a certain report by a certain date; and generally relating to the use of speed monitoring systems to enforce certain laws regarding the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13), 7–302(e), and 10–311
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–215(e) and 11–318(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(o)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–118(c), 21–809, 26–305(a), and 26–401
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 21–810
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 270 – The President (By Request – Administration) and Senators Currie, Della, Gladden, Jones, Kelley, Lenett, Madaleno, Middleton, Muse, Pinsky, Pugh, Raskin, and Stone

AN ACT concerning

Credit Regulation – Mortgage Lending and Other Extensions of Credit

FOR the purpose of prohibiting a lender from requiring or authorizing the imposition of a prepayment penalty, fee, premium, or other charge in connection with certain subprime loans; prohibiting certain lenders and credit grantors from making certain mortgage loans without giving due regard to the borrower's ability to repay the loans; requiring due regard to a borrower's ability to repay to include verification of certain income by review of certain written documentation; altering the threshold amount of a commercial loan on which prepayment charges or penalties may be charged; providing that no prepayment charges may be imposed on consumer borrowers in connection with certain open end credit; requiring a certain representation by a mortgage broker to be contained in a finder's fee agreement; authorizing the Commissioner of Financial Regulation to participate in the establishment and implementation of a multistate automated licensing system for mortgage lenders and mortgage originators and to adopt certain regulations to facilitate implementation of the system; requiring certain license applicants to have and maintain a certain net worth; requiring the Commissioner to deny an application for certain licenses filed by persons with certain felony convictions; requiring the Commissioner to set certain fees by regulation and to publish certain fee schedules; requiring

certain licensees to file surety bonds in certain amounts; altering the procedures for renewing a certain license; altering certain examination requirements for a mortgage originator's license; requiring mortgage originators to reside within 100 miles of the licensed office locations from which they work; requiring the Commissioner to revoke the mortgage originator license of any licensee who, while licensed, has been convicted of certain felonies; defining certain terms; repealing a certain definition; making certain conforming changes; providing for the application of this Act; and generally relating to credit regulation, extensions of credit, mortgage lending, and mortgage origination.

BY renumbering

Article – Commercial Law
Section 12–105(a), (b), (c), and (d), respectively
to be Section 12–105(b), (c), (e), and (f), respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Commercial Law
Section 12–105(a) and (d), 12–905(g), and 12–925
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 12–105(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 12–127, 12–311, 12–409.1, 12–805, and 12–1029
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions
Section 2–105.1, 11–506(a) and (d), 11–507(b), 11–508, 11–511, 11–515(c),
11–605(a) and (b), 11–606(b), 11–609(b), and 11–615(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Financial Institutions
Section 11–503.1, 11–612.1, and 11–615(f)
Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11–507(a)(1) and 11–515(a)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 65)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #2

Senate Bill 45 – Senator Lenett

AN ACT concerning

State Advisory Council on Quality Care at the End of Life – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 66)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 67)

ADJOURNMENT

At 10:26 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 25, 2008.

**Annapolis, Maryland
Friday, January 25, 2008
11:00 A.M. Session**

The Senate met at 11:14 A.M.

Prayer by Bishop Sammie L. Conyers, Pentecostal Worship Center Of Apostolic Faith, guest of Senator Mooney.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 24, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Gladden, Jones and McFadden be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 70)

INTRODUCTION OF BILLS

**Senate Bill 271 – Senator Stone (By Request – Committee to Revise Article 27
– Crimes and Punishments)**

AN ACT concerning

Admissibility of Evidence – Intercepted Communications – Electronic

FOR the purpose of prohibiting the admissibility of the contents of an intercepted electronic communication or information derived from an intercepted electronic communication as evidence in certain proceedings under certain circumstances; providing that an electronic communication that was intercepted in the violation of certain provisions of law may be admissible in certain proceedings under certain circumstances; and generally relating to the admissibility of evidence and intercepted electronic communications.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–401(11)

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–405
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 272 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Heritage Trail and Saint Helena Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 273 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Eastern Boulevard Beautification

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 274 – Senators Stone and Della

AN ACT concerning

**Vehicle Laws - Automotive Dismantlers and Recyclers and Scrap Processors
- Notice of Vehicle Acquisition**

FOR the purpose of altering the procedures that an automotive dismantler and recycler or scrap processor must follow to give notice to the Motor Vehicle Administration that the automotive dismantler and recycler or scrap processor has acquired title to a vehicle; providing a certain exception; and generally relating to automotive dismantlers and recyclers and scrap processors.

BY repealing

Article - Transportation

Section 15-508

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 15-511

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 275 - Senators Stone and Haines

AN ACT concerning

**Creation of a State Debt - Baltimore County - The Baltimore County Center
for Maryland Agriculture**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 276 - Senators Stone, Colburn, Conway, Dyson, Haines,
Klausmeier, Kramer, McFadden, Munson, Peters, and Raskin**

AN ACT concerning

Maryland Quiet Vehicles and Pedestrian Safety Task Force

FOR the purpose of establishing a Maryland Quiet Vehicles and Pedestrian Safety Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the establishment of a Maryland Quiet Vehicles and Pedestrian Safety Task Force.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 277 – Senator Pipkin

AN ACT concerning

**Vehicle Laws – Unlawful Application for or Use of a Driver’s License –
Mandatory Minimum Penalty for Undocumented Immigrants**

FOR the purpose of imposing a certain mandatory minimum term of imprisonment on a person who is convicted of a violation of a certain provision of law relating to the unlawful application for or use of a driver’s license and who is unable to provide documentation that is acceptable to the Department of Public Safety and Correctional Services certifying that the person is lawfully present in the United States in accordance with federal law; providing that the mandatory minimum term of imprisonment is not subject to suspension or probation; and generally relating to imposing a mandatory minimum penalty on undocumented immigrants for certain violations relating to the unlawful application for or use of a driver’s license.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–301 and 27–101(c)(12)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 27–101(bb)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 278 – Senators Pipkin and Rosapepe

AN ACT concerning

Maryland Energy Independence Act of 2008

FOR the purpose of requiring an electric company to operate its own peak-load or other generating facilities for a certain standard offer service load; requiring certain percentages of an electric company's standard offer service to be generated within the State over a certain period of time; requiring the Public Service Commission to determine a certain statewide level of electricity usage from a certain year by a certain date; requiring the Commission to establish a baseline electricity level from that statewide level; altering the criteria that the Commission must consider when acting on an application for a certificate of public convenience and necessity; requiring all electricity supplied for distribution in the State in excess of certain amounts to be generated in the State; authorizing certain excess electricity to be offered for trade on a certain energy market; requiring the Commission to adopt certain regulations applicable to certain persons; requiring the Commission to review certain supply and demand levels and report to the Governor and General Assembly by a certain date each year; stating the findings of the General Assembly; requiring the Commission to review certain provisions and make certain recommendations to certain committees of the General Assembly on the occurrence of certain events; making the provisions of this Act severable; and generally relating to electricity generation in the State.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7-207(f) and 7-510(c)(5)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing
Article – Public Utility Companies
Section 7-510(c)(6)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – Public Utility Companies
Section 7-510.1 and 7-510.2
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY renumbering
Article – Public Utility Companies
Section 7-510(c)(7), (8), and (9), respectively
to be Section 7-510(c)(6), (7), and (8), respectively
Annotated Code of Maryland

(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 279 – Senator McFadden

AN ACT concerning

Baltimore City – Community Initiatives Academy Loan of 1999

FOR the purpose of amending the Baltimore City – Community Initiatives Academy Loan of 1999 to require that the proceeds of the loan be encumbered by the Board of Public Works or expended for the purposes provided by a certain date.

BY repealing and reenacting, with amendments,

Chapter 555 of the Acts of the General Assembly of 1999, as amended by Chapter 30 of the Acts of the General Assembly of 2001, Chapter 188 of the Acts of the General Assembly of 2002, and Chapter 550 of the Acts of the General Assembly of 2006

Section 1

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 280 – Senator Dyson

AN ACT concerning

Marriage Ceremonies – Authorized Officials – Retired Clerks

FOR the purpose of adding a retired clerk of the circuit court for a county to the officials authorized to perform a marriage ceremony in the State; prohibiting a retired clerk from receiving any fee, remuneration, or gift for performing a marriage ceremony; providing for the payment of a retired clerk's fee; and generally relating to officials authorized to perform marriage ceremonies.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–406(a) and 2–410(a)(1) and (2)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 281 – Senator Dyson

AN ACT concerning

**Affordable Housing Programs – Waiver or Modification of Fees and Charges –
Enabling Authority for Counties and Municipalities**

FOR the purpose of authorizing counties and municipalities to support, foster, or promote an affordable housing program for individuals or families of low or moderate income by waiving or modifying certain fees and charges for construction of certain housing; and generally relating to the authority of counties and municipalities to take action to support, foster, and promote affordable housing.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 21-101
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 282 – Senators King, Forehand, Frosh, Garagiola, Kramer, Lenett,
Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Gaithersburg Upcounty
Senior Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Gaithersburg for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 283 – Senator Kittleman

AN ACT concerning

**Legislative Scholarships – Public Announcements and Acknowledgements by
Legislator – Prohibition**

FOR the purpose of prohibiting, subject to a certain exception, a legislator from making certain announcements and participating in certain activities relating to the award of a legislative scholarship; and generally relating to public

announcements and acknowledgements by a legislator with regard to legislative scholarships.

BY adding to

Article – Education

Section 18–409 and 18–508

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 284 – Senator Kittleman

AN ACT concerning

Robert Kittleman Scholarship Reform Act

FOR the purpose of repealing certain laws relating to senatorial and delegate scholarships; and generally relating to the repeal of senatorial and delegate scholarships.

BY repealing

Article – Education

Section 18–401 through 18–408 and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 285 – Senator Kittleman

AN ACT concerning

Consumer Protection – Loose-Fill Insulation for Buildings – Required Statement on Packaging

FOR the purpose of requiring manufacturers of loose-fill insulation for buildings to include a certain statement on each package of loose-fill insulation sold in the State; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to the enforcement and penalty provisions of that Act; defining a certain term; and generally relating to loose-fill insulation for buildings.

BY adding to

Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 286 – Senator Gladden

AN ACT concerning

Public Health – Antibiotic–Resistant Infection Prevention Campaign

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in collaboration with other State agencies, to establish and promote a certain public awareness campaign on antibiotic–resistant infections; providing for the components of the campaign; authorizing the Secretary to use certain resources to carry out the provisions of this Act; providing for the termination of this Act; and generally relating to a public awareness campaign on antibiotic–resistant infections.

BY adding to

Article – Health – General
Section 18–110
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 287 – Senators Stoltzfus, Brinkley, Conway, Currie, DeGrange, Dyson, Edwards, Exum, Frosh, Garagiola, Gladden, Greenip, Haines, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

State Designations – Smith Island Cake – State Dessert

FOR the purpose of designating Smith Island cake as the State dessert.

BY adding to

Article – State Government
Section 13–320
Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 288 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Maryland Food Bank

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Food Bank, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 289 – Senators Lenett, Miller, Kasemeyer, Rosapepe, Astle, Conway, Currie, DeGrange, Della, Dyson, Exum, Frosh, Garagiola, Jones, King, Klausmeier, Madaleno, McFadden, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, Robey, and Stone

AN ACT concerning

Seniors Tax Relief Act of 2008

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the State income tax for certain individuals who as of the last day of the taxable year are blind or are at least a certain age; providing for the application of this Act; and generally relating to certain exemptions allowed to be deducted to determine Maryland taxable income.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–211

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 290 – Senators Madaleno, Raskin, Forehand, Gladden, Kramer, Lenett, McFadden, Pinsky, and Pugh

AN ACT concerning

Religious Freedom and Civil Marriage Protection Act

FOR the purpose of altering a provision of law establishing that only certain marriages are valid in this State; prohibiting certain officials from being required to solemnize a marriage in violation of a certain constitutional right; providing for the construction of a certain provision of this Act; and generally relating to valid marriages.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–201
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 291 – Senator Kelley

AN ACT concerning

Condominiums and Homeowners Associations – Assessments and Reserves

FOR the purpose of requiring condominium developers to pay a certain assessment for a certain period; requiring certain persons or certain governing bodies of a condominium or homeowners association to have certain reserve studies conducted at certain times; requiring certain annual budgets to provide for certain reserves; defining certain terms; making certain stylistic changes; and generally relating to assessments and reserves of condominiums and homeowners associations.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–109.2
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–110(b)(1), 11B–101, and 11B–102(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property
Section 11–139.3, 11B–112.2, and 11B–112.3
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 292 – Senator Edwards

AN ACT concerning

**Garrett County – Alcoholic Beverages – Referendum on Sunday Sales in
County Districts**

FOR the purpose of authorizing Sunday sales of certain alcoholic beverages in those election districts of Garrett County in which voters approve a local referendum in favor of Sunday sales under certain circumstances; providing for the referendum and an effective date; requiring the Board of Supervisors of Elections of Garrett County to carry out certain duties; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–512(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–512(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 293 – Senators Frosh and Gladden

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Orphans' Court Judges – Qualifications

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the legislature to prescribe additional qualifications for certain

Orphans' Court judges under certain circumstances; prohibiting the qualifications from being more stringent than the qualifications required for judges; making certain stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 40

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 294 – Senators Garagiola, Forehand, and Raskin

AN ACT concerning

Criminal Law – Crimes Against a Law Enforcement Officer – Definition of Law Enforcement Officer

FOR the purpose of altering the definition of a law enforcement officer for certain crimes against law enforcement officers; and generally relating to the crimes against law enforcement officers.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–201
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 295 – Senator Rosapepe

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2006 and 2007 – Prince George's County – Historic Laurel Mill Ruins

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2006 and 2007 to remove the Patuxent River Commission as a grantee from certain grants; and generally relating to the Historic Laurel Mill Ruins.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (BW)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA02 (BO)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 296 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Laurel Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 297 – Senators King, Astle, Currie, DeGrange, Edwards, Garagiola, Klausmeier, Madaleno, Munson, Peters, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Tax Credit For Employer Established Work-Based Learning Programs for Students

FOR the purpose of authorizing certain persons to establish certain approved paid work-based learning programs under which arrangements are made between schools and employers to provide students certain structured employer-supervised learning; allowing a credit against the State income tax and insurance premiums tax for wages paid to each student under an approved paid work-based learning program; providing for calculation of the credit; providing for the carrying forward of the credit if the credit exceeds the total tax otherwise payable for a taxable year; providing for the termination of the credit after a certain taxable year; requiring that a certain study be done and provided to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of this Act; and generally relating to the establishment of approved paid work-based learning programs and a credit against the State income tax and insurance premiums tax for certain wages paid to each student pursuant to an approved paid work-based learning program.

BY adding to

Article – Education

Section 21–501 to be under the new subtitle “Subtitle 5. Approved Paid
Work–Based Learning Programs”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Tax – General

Section 10–711

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Insurance

Section 6–118

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 298 – Senators King, Astle, Currie, DeGrange, Garagiola, Lenett,
Madaleno, Peters, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

Income Tax – Credit for Providing Adult Literacy Programs

FOR the purpose of allowing certain business entities a certain credit against the State income tax for certain taxable years for a certain amount of the cost of adult literacy services provided to an employee; limiting to a certain amount the total amount of credits a business entity may claim in any taxable year; providing that the credit may be refundable under certain circumstances; providing for the issuance of certain initial credit certificates by the State Superintendent of Schools, subject to certain requirements and limitations, for certain fiscal years; providing certain limits on the amount of credits that can be claimed; requiring the State Superintendent to issue final credit certificates under certain circumstances; establishing the Adult Literacy Services Tax Credit Reserve Fund; limiting the credit amounts in the aggregate for which the State Superintendent may issue initial credit certificates for any fiscal year; authorizing the Governor to include certain appropriations to a certain fund in the annual budget bill for certain fiscal years; requiring the Comptroller to transfer certain amounts from a certain fund to the General Fund under certain circumstances; requiring the State Superintendent to submit certain reports; requiring the State Superintendent to adopt certain regulations; defining certain terms; and generally relating to a tax credit against the State income tax for certain costs associated with adult literacy services.

BY adding to

Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 299 – Senator Stone (By Request – Committee to Revise Article 27
– Crimes and Punishments)**

AN ACT concerning

**Public Safety – Possession of Regulated Firearm by a Person Under 21
Years – Penalty**

FOR the purpose of adding a misdemeanor penalty provision for the possession of a regulated firearm or certain ammunition by a person under a certain age; and generally relating to the possession of a regulated firearm and penalties.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–133
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 300 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicle Excise Tax – Exemption for Returning Military Members

FOR the purpose of expanding the eligibility for a certain motor vehicle excise tax credit to include a member of the military who returns to Maryland from active duty and, within a certain time period, applies for titling and registration of a vehicle previously titled and registered in another state; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–809(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

Senator Klausmeier moved to suspend the rules to allow **Senate Bill 300** to be referred immediately to the appropriate committee.

The motion was adopted.

Read the first time and referred to the Committee on Budget and Taxation.

THE COMMITTEE ON FINANCE REPORT #3

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 88 – Senator Edwards

AN ACT concerning

Allegany County – Workers’ Compensation – Students in Unpaid Work-Based Learning Experiences

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 71)

ADJOURNMENT

At 11:33 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 28, 2008 in Memory of Senator J. Robert Hooper.

Annapolis, Maryland
Monday, January 28, 2008
8:00 P.M. Session

The Senate met at 8:14 P.M.

Prayer by Reverend Dr. Sheridan Todd Yeary, Douglas Memorial Community Church, guest of Senator Jones.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 25, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Glassman and Jacobs be excused.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 73)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
Vera V. Amsden	Senator Robey	55

Read and adopted by a roll call vote as follows:

Affirmative - 44 Negative - 0 (See Roll Call No. 74)

Recipient	Sponsor	Resolution No.
University of Maryland College Park	The President and All Members	105

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 75)

Recipient	Sponsor	Resolution No.
Kimberly Sloane	The President and All Members	115
Gina Lorenzetti	The President and All Members	106
Rosanna Kim	The President and All Members	109
Travis Peed	The President and All Members	110
Caitlin Perdue	The President and All Members	111
Rebecca Spiro	The President and All Members	112
Lauren White	The President and All Members	113
Shayne Kress	The President and All Members	114

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 76)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 268 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Forehand, Frosh, King, Lenett, Madaleno, and Rosapepe

AN ACT concerning

Regional Greenhouse Gas Initiative – Maryland Strategic Energy Investment Program

Reassigned to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

INTRODUCTION OF BILLS

Senate Bill 301 – Senators Conway and Gladden

AN ACT concerning

Procurement – Small Business Reserve Program – Eligibility Modifications

FOR the purpose of adding the Maryland Transportation Authority as a designated procurement unit under the Small Business Reserve Program; altering the definition of small business by increasing certain maximum average gross sales requirements and adding a category of services; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–501
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 302 – Senator Conway

AN ACT concerning

Maryland Affordable Housing Investment Fund

FOR the purpose of establishing the Maryland Affordable Housing Investment Fund Board; providing for the membership, terms, meetings, and duties of the Board; establishing the Maryland Affordable Housing Investment Fund; requiring that the Fund be used in certain ways to support, foster, and promote affordable housing; specifying the source of moneys of the Fund; requiring that the Board annually allocate money to certain local governments and to the Department of Housing and Community Development in a certain manner; establishing certain requirements that local governments must meet and actions local governments must agree to take to receive money from the Fund; establishing a certain maximum amount of certain funds that a local government may use to cover administrative costs; authorizing the transfer of unencumbered money in the Fund to certain other funds in the Department within a certain time; specifying certain conditions under which a local government may use certain funds for certain purposes; specifying certain factors that a local government must consider in establishing upper income limits for a family of limited income; requiring the Governor beginning in a certain fiscal year and for every year thereafter to include in the annual budget bill submitted to the General Assembly a certain appropriation to the Fund; imposing an annual State tax on certain property at a certain rate; repealing certain obsolete language; providing for the distribution of certain State property tax revenue to the Fund; defining certain terms; and generally relating to the Maryland Affordable Housing Investment Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 2–201
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–209 and 4–507
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–501
Annotated Code of Maryland
(2006 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–134(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–301
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

Senate Bill 303 – Senator Conway

AN ACT concerning

Baltimore City – School Board – Election of Members

FOR the purpose of altering the membership of the Baltimore City Board of School Commissioners; providing for the appointment of certain members of the Board by the Governor and by the Mayor of Baltimore City; providing for the election of certain members of the Board; providing for the reimbursement of a member's expenses under certain circumstances; specifying qualifications and requirements for members of the Board; specifying the term of members; providing for the removal of members of the Board under certain circumstances;

specifying certain powers and duties of the Board; providing for the termination of the term of certain members of the Board; and generally relating to the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108.1, 3–114(a), and 4–303
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 3–114(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–802
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 304 – Senator Middleton

AN ACT concerning

Consumer Products Safety – Lead and Mercury Reduction Act

FOR the purpose of prohibiting certain persons from administering vaccines that contain more than a certain amount of mercury per dose; prohibiting the sale, offer for sale, or distribution in the State of certain drugs that contain mercury; prohibiting the sale, offer for sale, or distribution in the State of cosmetics that contain lead or mercury; providing for a delayed effective date; and generally relating to prohibitions against the administering of vaccines with specified levels of mercury and the sale of cosmetics and specified drugs that contain mercury.

BY adding to

Article – Health – General
Section 18–405, 21–228, and 21–232
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 305 – Senator Middleton

AN ACT concerning

**Community Services Reimbursement Rate Commission – Termination Date
Extension and Modifications**

FOR the purpose of extending the termination date for the Community Services Reimbursement Rate Commission; authorizing the Governor, with the advice and consent of the Senate, to appoint a certain number of members to the Commission for an additional consecutive term beginning on a certain date; altering a requirement that the Commission assess changes in wages paid by certain providers to require the Commission to assess the level of and changes in wages paid by certain providers to direct support workers; altering a requirement that the Commission assess the impact of consumer safety costs to require the Commission to assess the impact of changes in regulations that impact on the costs of certain providers; requiring the Commission to assess trends in housing costs and how these trends affect costs of certain providers; requiring the Commission to develop or refine certain methodologies; requiring the Commission to continue to study the transportation costs incurred by certain providers; requiring the Commission to work with the Mental Hygiene Administration to expand the use of certain data; repealing a requirement that the Commission review certain changes in the payments for and utilization of psychiatric rehabilitation services; requiring the Commission to review information on certain practices and make certain recommendations; requiring the Commission to include certain findings in a certain report; requiring the Board of Nursing to provide to the Commission at a certain time copies of any new or revised regulations that would be expected to impact on the costs incurred by certain providers; repealing a certain definition; and generally relating to the Community Services Reimbursement Rate Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–801, 13–803, 13–806, 13–809, and 13–810
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General

Section 13–802, 13–804, 13–805, 13–807, and 13–808
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Chapter 593 of the Acts of the General Assembly of 1996, as amended by
Chapter 566 of the Acts of the General Assembly of 1999, Chapter 370 of
the Acts of the General Assembly of 2002, and Chapter 401 of the Acts of
the General Assembly of 2005

Section 3

Read the first time and referred to the Committee on Finance.

Senate Bill 306 – Senator Glassman

AN ACT concerning

Harford County – Board of Education – Election of Members

FOR the purpose of requiring that the members of the Harford County Board of Education be elected; establishing the composition of the County Board; providing for the qualifications, terms of office, and vacancy of certain members of the County Board; authorizing the Harford County Board of Elections to adopt certain regulations; providing for the election, terms, qualifications, and duty of a certain student member of the County Board; establishing certain removal, hearing, and appeal procedures for members of the County Board; providing for the election of a certain president and vice president of the County Board; providing for the termination of the terms of the appointed members of the County Board; defining a certain term; and generally relating to the Harford County Board of Education.

BY renumbering

Article – Education

Section 3–111 and 3–112, respectively

to be Section 3–6A–05 and 3–6A–04, respectively

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–114

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Education

Section 3-6A-01 through 3-6A-03 to be under the new subtitle "Subtitle 6A.
Harford County"
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 307 – Senator Glassman

AN ACT concerning

Harford County – Hosanna School Loan of 2001

FOR the purpose of amending the Harford County – Hosanna School Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Hosanna School Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 466 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 308 – Senator Pinsky

AN ACT concerning

**Town of Berwyn Heights Employees – Participation in the Employees’
Pension System**

FOR the purpose of requiring certain employees of the Town of Berwyn Heights to participate in the Employees’ Pension System of the State of Maryland as of a certain date; providing for certain employees of the Town of Berwyn Heights to receive service credit for certain prior service; providing that certain employees of the Town of Berwyn Heights who become members of the Employees’ Pension System after a certain date may not receive certain service credit; and generally relating to employees of the Town of Berwyn Heights participating in the Employees’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23-201(a), 23-204(b), and 31-111
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 31–111.4

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 309 – Senators Pinsky, Brochin, Currie, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, King, Lenett, Madaleno, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, and Stone

AN ACT concerning

Global Warming Solutions – Reductions in Greenhouse Gases

FOR the purpose of authorizing a certain fee and certain fines to be paid into the Maryland Clean Air Fund; expanding the permissible uses of the Maryland Clean Air Fund; prohibiting all moneys in the Maryland Clean Air Fund from reverting or being transferred to the General Fund; stating the intent of the General Assembly; requiring the Department of the Environment to adopt regulations to require certain reductions in greenhouse gas emissions by certain years; requiring the Department to publish certain lists of certain greenhouse gas reduction measures and to adopt regulations in order to implement these measures; requiring the Department to consult with the Public Service Commission, the Maryland Energy Administration, and the Power Plant Research Program on greenhouse gas reduction measures that relate to energy matters; requiring the Department to publish and implement certain greenhouse gas emissions reduction measures in accordance with certain requirements; requiring the Department to prepare and publish a certain plan; requiring the Department to adopt the plan by regulation in accordance with certain requirements; requiring the Department to adopt methodologies for the quantification of voluntary greenhouse gas emissions reductions; requiring the Department to adopt regulations that enable the State to monitor and verify voluntary greenhouse gas emissions reductions; requiring the Department to adopt regulations, in accordance with certain requirements, that establish a cap and trade system for sources that emit greenhouse gas emissions; requiring the State, to the extent practicable, to engage other states that have certain cap and trade systems for the purpose of establishing a regional cap and trade system; authorizing the Department to adopt regulations that establish certain offset allowances; requiring the Department to adopt regulations, in accordance with certain requirements, to require the reporting and verification of greenhouse gas emissions and to monitor and enforce compliance; providing that certain proceeds should be used to implement the provisions of this Act; authorizing the Department to establish a Greenhouse Gas Emissions Fee under certain circumstances; authorizing the Department to exempt certain de minimus

sources of greenhouse gas emissions from paying the fee; providing for the administration and collection of the fee; requiring the fees to be deposited in the Maryland Clean Air Fund; creating the Office of Climate Change within the Department; requiring the Office to administer the provisions of this Act; authorizing the Department to create certain committees; authorizing the Governor to alter certain deadlines under certain circumstances; declaring the legislative intent and findings of the General Assembly as they relate to global warming solutions; defining certain terms; making the provisions of this Act severable; and generally relating to the reduction of greenhouse gas emissions.

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–107
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY adding to
Article – Environment
Section 2–1201 through 2–1210 to be under the new subtitle “Subtitle 12.
Greenhouse Gas Emissions Reductions”
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 310 – Senators Brinkley and Mooney

AN ACT concerning

Frederick County – Annual Financial Report – Filing Date

FOR the purpose of altering the date by which Frederick County may file its annual financial report for the fiscal year with the Maryland Department of Legislative Services; and generally relating to the annual financial report of Frederick County.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 37
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 311 – Senators King, Forehand, Garagiola, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Bioscience Education Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 312 – Senators King, Forehand, Garagiola, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Plum Gar Neighborhood Recreation Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 313 – Senators Stone, Haines, Colburn, Conway, Miller, and Muse

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

FOR the purpose of providing that certain retention proceeds may not exceed a certain percentage of certain contracts or certain payments under certain circumstances; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain owners reasonably determine that the performance of certain contractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain contractors reasonably determine that

the performance of certain subcontractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain subcontractors reasonably determine that the performance of certain other subcontractors provides reasonable grounds for withholding certain amounts; defining a certain term; providing for the construction and application of this Act; and generally relating to construction contracts and retention proceeds.

BY renumbering

Article – Real Property

Section 9–304

to be Section 9–305

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property

Section 9–304

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 314 – Senators Currie and Kasemeyer

AN ACT concerning

Tax Credits for Individuals Facing Employment Barriers – Sunset Extension

FOR the purpose of altering certain termination provisions and dates of applicability for certain tax credits allowed to employers that hire certain qualified employment opportunity employees or certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualified employees facing certain employment barriers.

BY repealing and reenacting, with amendments,

Chapter 492 of the Acts of the General Assembly of 1995, as amended by Chapter 10 of the Acts of the General Assembly of 1996, Chapters 598 and 599 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007

Section 3

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, and Chapter 370 of the Acts of the General Assembly of 2007

Section 4 and 6

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 315 – Senators Lenett, Garagiola, Klausmeier, Muse, Peters, Robey, and Rosapepe

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income

FOR the purpose of altering a certain subtraction modification under the Maryland income tax for certain military retirement income; providing for the application of this Act; and generally related to a subtraction modification under the Maryland income tax for military retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 316 – Senators Robey, Garagiola, Kasemeyer, King, Kittleman, Lenett, Munson, Peters, Pugh, and Stoltzfus

AN ACT concerning

Criminal Law – Impersonation of a Police Officer – Penalties

FOR the purpose of altering the classification of the crime of impersonating certain police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers wearing a certain police article without a certain authorization, or having a simulation or imitation of a certain police article under certain circumstances from a misdemeanor to a felony and increasing the penalties for a violation of the offense; and generally relating to the crime of impersonating police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–502
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 317 – Senators Robey, King, Kittleman, Lenett, Munson, Peters,
and Stoltzfus**

AN ACT concerning

Vehicle Laws – Rules of the Road – Malfunctioning Traffic Control Signals

FOR the purpose of requiring a driver who is approaching a traffic control signal with no visible lighted indication to reduce speed and prepare to yield to other vehicles in or approaching the intersection; clarifying that a driver shall obey a stop sign in certain circumstances; clarifying a certain term; and generally relating to malfunctioning traffic control signals.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–202(m) and 21–204(a) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 21–202(m) and 21–204(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 318 – Senator Peters

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Bowie Lions Club
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$10,000, the proceeds to be used as a grant to the Board of Directors of the Bowie Lions Club Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 319 – Senator Peters

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Cornerstone Assembly of
God**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Trustees of the Cornerstone Assembly of God, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 320 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore County – Irvine Nature Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Irvine Natural Science Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 321 – Senator Conway

AN ACT concerning

**Creation of a State Debt – Baltimore City – Community Mediation Program
Building Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Board of Directors of the Community Mediation Program, Inc. for certain development or improvement purposes, providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 322 – Senator Conway

AN ACT concerning

**Creation of a State Debt – Baltimore City – Junior League of Baltimore Thrift
Store**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Junior League of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 323 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Tudor Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the St. Mary's County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 324 – Senator Forehand (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Washington Metropolitan Area Transit Commission – Appointment of Virginia Member

FOR the purpose of altering the agency of the Commonwealth of Virginia from which the Governor of Virginia is required to appoint the Virginia member of the Washington Metropolitan Area Transit Commission; making this Act subject to a certain contingency; and generally relating to the appointment of the Virginia member of the Washington Metropolitan Area Transit Commission.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 10–203 Title I Article I and Article II
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 10–203 Title I Article III Section 1(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 325 – Senators Miller, Pugh, McFadden, and Currie

AN ACT concerning

Creation of a State Debt – Baltimore City – Lyric Opera House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of the Lyric

Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to the requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 326 – Senator Miller

AN ACT concerning

Calvert County – Sheriff – Pensions

FOR the purpose of requiring that any individual who has served as Sheriff of Calvert County since a certain date and for a certain period of time receive a certain pension; requiring that the pension be paid at least at certain intervals of time; making stylistic changes; and generally relating to pensions for sheriffs of Calvert County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(f)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 327 – Senators Kelley and Jones (Task Force to Study Identity Theft) and Senators Astle, Currie, Della, Exum, Jacobs, Kittleman, Lenett, Mooney, Pinsky, Pugh, Raskin, and Stone

AN ACT concerning

Identity Fraud – Personal and Business Documents and Cardholder Affidavits – Evidence

FOR the purpose of providing that certain personal and business documents are admissible as evidence and presumed to be authentic if a certain person testifies as to their authenticity in any judicial or administrative proceeding; authorizing in a criminal case or juvenile proceeding involving identity fraud the introduction of the affidavit of a lawful credit cardholder as substantive evidence that the credit card or credit card number of the credit cardholder was taken, used, or possessed without the authorization of the credit cardholder; and generally relating to the admissibility of documents and affidavits as evidence.

BY adding to

Article – Commercial Law

Section 24–101 to be under the new title “Title 24. Authentication of Documents”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–214.1

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 328 – Senators Kelley, Conway, Dyson, Exum, Forehand, Gladden, Jones, Madaleno, Muse, Pinsky, Pugh, and Raskin

AN ACT concerning

Unemployment Insurance – Eligibility – Part-Time Work

FOR the purpose of authorizing an individual who is only able to work part-time to be deemed eligible for certain benefits under certain circumstances; clarifying that the Secretary of Labor, Licensing, and Regulation may not use the disability of a qualified individual with a disability in finding that an individual is not available for work, actively seeking work, or eligible for benefits under this Act; requiring the Secretary to adopt certain regulations; providing for a delayed effective date; and generally relating to unemployment insurance benefits for part-time workers.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–903

Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 329 – Senator Klausmeier

AN ACT concerning

Electric Restructuring – Electricity Supply Services – Residential Customers and Small Commercial Customers

FOR the purpose of requiring the Public Service Commission to establish a Competitive Electricity Supplier Referral Program by a certain date; specifying the terms and conditions under which an electricity supplier may participate in the Program; requiring electric companies to include certain information in certain customer bills in a certain manner at certain times; requiring an electric company to offer to certain customers a certain opportunity at a certain time; requiring an electric company to provide a certain description and to offer to transfer the customer to a certain call center under certain circumstances; requiring an electric company to make available certain information on request; prohibiting certain customers from being charged certain additional fees; requiring an electric company to offer combined billing to certain customers; requiring an electric company to pay a certain supplier in a certain manner under certain circumstances; providing that an electric company retains certain rights; defining certain terms; and generally relating to electricity supply services for residential retail customers and small commercial retail customers.

BY adding to

Article – Public Utility Companies
Section 7–518
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 330 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

FOR the purpose of requiring each county or municipal corporation that owns or operates a swimming pool to develop and implement a certain automated external defibrillator program that meets certain requirements for certain swimming pools owned or operated by the county or municipal corporation; requiring the owners and operators of certain swimming pools to develop and implement a certain automated external defibrillator program that meets certain requirements; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems to jointly adopt certain regulations; defining certain terms; and generally relating to requiring certain automated external defibrillator programs for certain swimming pools.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 to be under the new title “Title 22. Automated External
Defibrillator Programs”
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health – General

Section 13–2701 to be under the new subtitle “Subtitle 27. Automated External Defibrillator Programs”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 331 – Senator Simonaire

AN ACT concerning

Election Law – Telephone Polling – Campaign Transparency Act

FOR the purpose of prohibiting a person who conducts a certain telephone poll relating to a candidate or the candidate’s family from failing to ensure that a certain authority line is included with the message; providing for certain penalties for a willful and knowing violation of the requirements of this Act; defining certain terms; and generally relating to the use of the telephone to conduct a persuasive poll under the Campaign Transparency Act.

BY adding to

Article – Election Law

Section 16–904

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 332 – Senator Simonaire

AN ACT concerning

Motor Vehicles – Single Registration Plate and Front Plate Program

FOR the purpose of requiring the Motor Vehicle Administration to issue a single registration plate for all classes of vehicles; providing for the method of attachment of the registration plate; establishing a Front Plate Program in the Administration; requiring the Administration to offer certain front plates; authorizing an organization to apply to offer front plates through the Program; providing that only certain plates may be offered through the Program; requiring an organization that is approved to offer front plates through the Program to provide the front plates in a certain manner; authorizing the

Administration to include certain information in certain mailings; providing for the collection, setting, and use of certain fees; requiring the Administration to adopt certain regulations; requiring the publisher of the Annotated Code to make certain corrections; and generally relating to a single vehicle registration plate and a Front Plate Program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–410 and 13–411
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 13–632 to be under the new part “Part V. Front Plate Program”
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 333 – Senators Kramer, Forehand, Jacobs, and Rosapepe

AN ACT concerning

Public Safety – DNA Data Base System – Sample Collection on Arrest

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest for a felony or certain burglary offenses; altering a certain definition; requiring a DNA sample to be collected at the facility where a certain arrest is processed; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; authorizing a certain individual to request expungement of certain DNA-related information if the individual’s arrest meets certain criteria; clarifying language; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 334 – Senator Kramer

AN ACT concerning

Creation of a State Debt - Montgomery County - Aunt Hattie's Place

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of Aunt Hattie's Place, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 335 - Senator Kramer

AN ACT concerning

Creation of a State Debt - Montgomery County - Camp Bennett Renovations

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Central Union Mission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 336 - Senators Raskin, Lenett, Madaleno, Muse, Pugh, and Robey

AN ACT concerning

Task Force to Study Required Deposits on Returnable Beverage Containers

FOR the purpose of establishing the Task Force to Study Required Deposits on Returnable Beverage Containers in the State; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Task Force to study certain issues relevant to requiring deposits on returnable beverage containers in the State; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for reimbursement for expenses for a member of the Task Force; providing for the staff of the Task Force; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Study Required Deposits on Returnable Beverage Containers in the State.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 337 – Senator Raskin

AN ACT concerning

Legal Advertisement or Legal Notice – Newspaper

FOR the purpose of altering the definition of certain terms concerning publishing a legal advertisement or legal notice to repeal requirements that a “newspaper” or similar publication containing the legal advertisement or legal notice be distributed by sale and be eligible to be entered as second-class matter in the United States mail; providing for the application of this Act; and generally relating to altering certain requirements for certain publications containing a legal advertisement or legal notice.

BY repealing and reenacting, with amendments,
Article 1 – Rules of Interpretation
Section 28(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 338 – Senator Peters

AN ACT concerning

Creation of a State Debt – Prince George’s County – Belair Swim Club Repair

FOR the purpose of authorizing the creation of a State Debt in the amount of \$20,000, the proceeds to be used as a grant to the Board of Directors of the Belair Swim and Racquet Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 339 – Senator Peters

AN ACT concerning

Creation of a State Debt – Prince George’s County – Whitehall Pool and Tennis Capital Improvements

FOR the purpose of authorizing the creation of a State Debt in the amount of \$20,000, the proceeds to be used as a grant to the Board of Directors of Whitehall Pool and Tennis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 340 – Senators Peters, Brinkley, Currie, DeGrange, Edwards, Kasemeyer, King, Kramer, Madaleno, Munson, Robey, and Stoltzfus

AN ACT concerning

Task Force on Reducing State Budget Expenditures for Record Management and Retention

FOR the purpose of establishing the Task Force on Reducing State Budget Expenditures for Record Management and Retention; providing for the membership, cochairs, and staffing of the Task Force; prohibiting a member of the Task Force from being compensated; authorizing a member to be reimbursed for expenses under certain circumstances; requiring the Task Force to examine and make recommendations on certain matters and to issue a report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Reducing State Budget Expenditures for Record Management and Retention.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 341 – Senators Garagiola, Forehand, Frosh, King, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Waters Barn Restoration

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Montgomery County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 342 – Senator Garagiola

AN ACT concerning

Procurement – Flexible–Fuel Vehicles – Alternative Fuel Requirements

FOR the purpose of requiring the State to ensure that certain percentages of certain State vehicles are fueled exclusively by a certain type of fuel by certain years; defining certain terms; and generally relating to alternative fuel requirements for the State’s fleet of flexible–fuel vehicles.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–408
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 343 – Senators Garagiola, Colburn, King, Lenett, Madaleno, and Pugh

AN ACT concerning

Biodiesel Requirements for the State Vehicle Fleet

FOR the purpose of altering the requirement that the State ensure that at least a certain percentage of vehicles using diesel fuel in the State vehicle fleet in certain fiscal years use a blend of fuel containing at a least a certain percentage of biodiesel fuel; and generally relating to biodiesel requirements for the State vehicle fleet.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–408
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 344 – Senators Garagiola, Astle, Exum, Kelley, Klausmeier, and Pugh

AN ACT concerning

The Flexible Leave Act

FOR the purpose of authorizing employees of certain employers to use leave with pay for the illness of the employee's immediate family; providing that an employee may only use leave with pay that has been earned; providing that an employee who earns more than one type of leave with pay may elect the type and amount of leave with pay to be used; requiring an employee who uses leave with pay under this Act to comply with the terms of a collective bargaining agreement or employment policy with a certain exception; providing that the terms of a collective bargaining agreement or employment policy shall prevail under certain circumstances; prohibiting an employer from taking certain actions against an employee who exercises certain rights, files a complaint, testifies against, or assists in a certain action; providing that this Act does not affect leave granted under the federal Family and Medical Leave Act; defining certain terms; and generally relating to leave with pay and illness of an employee's immediate family.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–801 and 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY adding to
Article – Labor and Employment
Section 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 345 – Senator Dyson

AN ACT concerning

Vehicle Laws – Minor Holding Provisional Driver's License – Passenger Restrictions

FOR the purpose of extending the period of time from the date a provisional driver's license is issued to a minor during which the minor is prohibited from transporting certain individuals under a certain age as passengers except under certain circumstances; and generally relating to passenger restrictions for a minor holding a provisional driver's license.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 346 – Senators Forehand, Frosh, Garagiola, King, Kramer, and Raskin

AN ACT concerning

Creation of a State Debt – Adventist Health Care

FOR the purpose of authorizing the creation of a State Debt not to exceed \$430,000, the proceeds to be used as a grant to the Board of Directors of Adventist Health Care, Inc. (d.b.a. Potomac Ridge Behavioral Health) for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 347 – Senators Middleton and Astle

EMERGENCY BILL

AN ACT concerning

Credit Regulation – Credit Grantor Provisions – Fees, Charges, and Penalties

FOR the purpose of clarifying that certain fees or charges may be collected by a credit grantor at any time; providing that certain penalties do not apply for certain acts or omissions arising from conformity to or reliance on certain opinions, interpretations, or approvals by certain persons under certain circumstances; providing that certain provisions of this Act may not be construed to limit certain penalties or limit certain powers of the Commissioner of Financial Regulation or the courts under certain circumstances; providing for the application of certain provisions of this Act; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to regulation of credit grantors.

BY repealing and reenacting, with amendments,
Article – Commercial Law

Section 12-905(b), 12-1005(d), and 12-1009(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Commercial Law
Section 12-918.1 and 12-1018.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 348 – Senator Middleton

AN ACT concerning

Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Poultry Litter

FOR the purpose of expanding the definition of a Tier 1 renewable source to include poultry litter-to-energy; altering the definition of a Tier 2 renewable source to exclude the incineration of poultry litter; repealing a certain limitation on the eligibility of energy produced from certain sources for inclusion in meeting the renewable energy portfolio standard; and generally relating to poultry litter and Tier 1 renewable sources applied to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,

Article – Public Utility Companies
Section 7-701(g)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies
Section 7-701(l) and (m) and 7-704(a)(4)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 349 – Senator Middleton

AN ACT concerning

State Personnel – Executive Pay Plan – Reporting Requirements – Repeal

FOR the purpose of repealing certain requirements that the Secretary of Budget and Management provide certain reports to the Department of Legislative Services on Executive Pay Plan employees under certain circumstances; and generally relating to reports by the Secretary of Budget and Management on the Executive Pay Plan.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 8–103
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 8–108(c)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 350 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Light House Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Annapolis Area Ministries, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 351 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Maryland Hall for the Creative Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Hall for the Creative Arts, Inc. for certain development or improvement

purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 352 – Senator Astle

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Regulated Scrap Metal

FOR the purpose of requiring certain junk dealers and scrap metal processors to post a certain sign; prohibiting certain junk dealers and scrap metal processors from purchasing regulated scrap metal from certain persons under certain circumstances; requiring certain junk dealers and scrap metal processors to keep a log of purchases of regulated scrap metal for a certain period of time in a certain manner; providing for the contents of the log; authorizing a governmental entity or business to establish a certain account with a junk dealer or scrap metal processor to sell regulated scrap metal; prohibiting certain junk dealers or scrap metal processors from purchasing certain regulated scrap metal under certain circumstances; authorizing State or local law enforcement personnel to request information from the log under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; prohibiting certain junk dealers and scrap metal processors from refusing to certain information or from willfully and knowingly making a false statement or providing untrue information; establishing a certain penalty; providing for the application of this Act; defining certain terms; and generally relating to junk dealers and scrap metal processors.

BY adding to

Article – Business Regulation

Section 17–1027 through 17–1034 to be under the new part “Part IV. Regulated Scrap Metal”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 353 – Senator Della

AN ACT concerning

**State Personnel – Independent Personnel Systems in Executive Branch –
Disciplinary Actions**

FOR the purpose of expanding the scope of certain provisions of State personnel law governing actions an appointing authority must take before taking disciplinary action related to employee misconduct, and the authority to impose a disciplinary action, to include actions against certain employees of units in the Executive Branch of State government with independent personnel systems; making a certain conforming change; and generally relating to independent personnel systems in the Executive Branch of State government and disciplinary actions related to employee misconduct.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 11–102 and 11–106
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 354 – Senator Miller

AN ACT concerning

**Creation of a State Debt – Calvert County – North Beach Town Hall
Construction**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Town of North Beach for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 77)

ADJOURNMENT

At 8:40 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 9:00 A.M. on Tuesday, January 29, 2008.

**Annapolis, Maryland
Tuesday, January 29, 2008
9:00 A.M. Session**

The Senate met at 9:20 A.M.

Prayer by Pastor John A. Heath, The House of Mercy, guest of Senator Conway.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 28, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Brinkley, Conway, Glassman and Jacobs be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 79)

INTRODUCTION OF BILLS

Senate Bill 355 – Senator Lenett

AN ACT concerning

Health Care Facilities – Disclosures – Use of Life-Sustaining Procedures

FOR the purpose of requiring certain health care facilities to disclose certain practices that elicit and document certain values, goals, and preferences that may affect the provision, withholding, or withdrawal of certain life-sustaining procedures under certain circumstances; requiring certain health care facilities to cause certain medical orders to be consistent with certain values, goals, and preferences subject to certain exceptions; requiring certain health care facilities to periodically assess certain outcomes in order to evaluate certain practices; requiring certain disclosures to be made on certain requests and on certain websites; prohibiting a certain construction of certain disclosures; requiring the State Advisory Council on Quality Care at the End of Life to consult with certain groups before developing and making publicly available certain resources; providing for a delayed effective date for certain provisions of this

Act; and generally relating to disclosure by health care facilities of their use of life-sustaining procedures.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5-611(b) and 5-613(a)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5-615(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

QUORUM CALL

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 80)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #3

Senate Bill 88 – Senator Edwards

AN ACT concerning

Allegany County – Workers’ Compensation – Students in Unpaid Work-Based Learning Experiences

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 81)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 82)

ADJOURNMENT

At 9:34 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 30, 2008, in memory of Senator J. Robert Hooper.

**Annapolis, Maryland
Wednesday, January 30, 2008
10:00 A.M. Session**

The Senate met at 10:22 A.M.

Prayer by Reverend Charles Beekley, Bush Creek Church, guest of Senator Mooney.

The Journal of January 29, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 85)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
Sister to Sister Foundation	Senator Catherine E. Pugh	196

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 86)

INTRODUCTION OF BILLS

Senate Bill 356 – Senator DeGrange

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Opportunity Builders

FOR the purpose of authorizing the creation of a State Debt not to exceed \$65,000, the proceeds to be used as a grant to the Board of Directors of Opportunity Builders, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 357 – Senator Peters

AN ACT concerning

Creation of a State Debt – Prince George’s County – Improvements to Pointer Ridge Swim and Racquet Club

FOR the purpose of authorizing the creation of a State Debt in the amount of \$20,000, the proceeds to be used as a grant to the Board of Directors of Pointer Ridge Swim and Racquet Club for certain development or improvement purposes, providing for disbursement of the loan proceeds; subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 358 – Senator Peters

AN ACT concerning

Creation of a State Debt – Prince George’s County – Belair Bath and Tennis Club Capital Improvements

FOR the purpose of authorizing the creation of a State Debt in the amount of \$20,000, the proceeds to be used as a grant to the Board of Directors of the Belair Bath and Tennis Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 359 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Jonestown Entrepreneur Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of Jonestown Entrepreneur Center, Inc. for certain development or improvement purposes;

providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 360 – Senators Muse, Kelley, Pugh, and Raskin

AN ACT concerning

Credit Regulation – Inquiries About Consumer Reports – Credit Score Calculation

FOR the purpose of prohibiting a consumer reporting agency from considering any inquiries made about a consumer's consumer report in the calculation of a consumer's credit score; and generally relating to consumer reporting agencies and consumer credit scores.

BY adding to

Article – Commercial Law

Section 14–1203.1

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 361 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George's County – Forest Heights Municipal Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Forest Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 362 – Senator Muse

AN ACT concerning

Business Regulation – Tobacco Paraphernalia

FOR the purpose of establishing certain requirements for the storage, display, and sale of tobacco paraphernalia; requiring certain information to be recorded for certain transactions; prohibiting a retailer from selling certain tobacco paraphernalia unless the purchaser complies with certain requirements; establishing certain record keeping requirements; providing for the confidentiality of certain records; establishing certain civil and criminal penalties for certain violations of this Act; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the sale of tobacco paraphernalia.

BY adding to

Article – Business Regulation

Section 16–701 through 16–706 to be under the new subtitle “Subtitle 7. Sale of Tobacco Paraphernalia”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 10–101(c) and 10–107(b), (c), and (d)

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 363 – Senator Muse

AN ACT concerning

Sales and Use Tax – Surcharge – Tobacco Paraphernalia

FOR the purpose of imposing a supplemental surcharge on the sale of tobacco paraphernalia; establishing the rate of the surcharge; and generally relating to imposing a supplemental surcharge on the sale of tobacco paraphernalia.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1–101(s) and 11–102

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Tax – General

Section 11–104(g)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 364 – Senator Pugh

AN ACT concerning

Maryland Consolidated Capital Bond Loans of 2005 and 2006 – Baltimore City – Waxter Center for Senior Citizens

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2005 and 2006 to expand the authorized uses of a certain grant to the Mayor and City Council of the City of Baltimore.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (Y)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (K)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 365 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Sandi’s Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of Sandi’s Learning Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 366 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Learning, Inc. Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Learning, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 367 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Healthy Start

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore City Healthy Start, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 368 – Senator Conway

AN ACT concerning

Procurement – Preferences – Employment Works Program

FOR the purpose of naming a certain preference procurement program within the Department of General Services as the Employment Works Program; clarifying the preference priority for certain providers with regard to purchases of certain supplies and services by the State or by certain other entities; altering the membership of the Pricing and Selection Committee for the Program; defining, altering, and clarifying certain terms; clarifying provisions relating to a certain entity as the coordinating entity for the distribution of certain procurement contracts among certain Program providers; specifying duties for a certain committee; and generally relating to the Employment Works Program and the procurement process relating to certain community service providers.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–101, 14–103, 14–106, and 14–107
Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing

Article – State Finance and Procurement

Section 14–108

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Finance and Procurement

Section 14–108

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 369 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Allegany County – Virginia Avenue Corridor (Cumberland) Revitalization

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Cumberland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 370 – Senator Edwards

AN ACT concerning

Taxes – Admission and Amusement Tax – Tip Jar Exemption

FOR the purpose of exempting certain tip jar games from a certain State admissions and amusement tax; defining certain terms; and generally relating to the State admissions and amusement tax on electronic bingo or electronic tip jars.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 4–102(d)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 371 – Senator Pinsky

AN ACT concerning

**Creation of a State Debt – Prince George’s County – New Carrollton
Recreation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of New Carrollton for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 372 – Senators DeGrange, Gladden, Kramer, and Astle

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motorcycle – Definition

FOR the purpose of altering the definition of “motorcycle” in the Maryland Vehicle Law to include a motor vehicle that has two front wheels positioned on a single front axle and one rear wheel; making clarifying and conforming changes; making this Act an emergency measure; and generally relating to the definition of “motorcycle”.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 11–136
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 373 – Senators DeGrange, Brinkley, Currie, Della, Dyson, King, Klausmeier, McFadden, Miller, Munson, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

**Building Opportunities for All Students and Teachers (BOAST) in Maryland
Tax Credit**

FOR the purpose of allowing a credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization; requiring the State Department of Education to administer the tax credit; requiring an entity to submit an application to be an eligible educational scholarship organization or an eligible innovative educational organization by a certain date each year; requiring an eligible educational scholarship organization or an eligible innovative educational organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an eligible educational scholarship organization or an eligible innovative educational organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a) and 10–306(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–205(j), 10–306(f), and 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 374 – Senators McFadden, Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

Employees' Retirement and Pension Systems – Purchase of Contractual Service Credit

FOR the purpose of allowing certain members of the Employees' Retirement System or Employees' Pension System to purchase a certain amount of service credit; requiring certain members of the Employees' Retirement System or Employees' Pension System who purchase certain service credit to file certain documents with the Board of Trustees for the State Retirement and Pension System; providing the rate at which certain service credit shall be purchased; providing that certain service credit that certain members purchase is applied toward their retirement allowance using a certain accrual rate; and generally relating to the purchase of service credit in the Employees' Retirement System or Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–304 and 23–307
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 22–304.1 and 23–307.6
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 375 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

State Retirement and Pension System – Imposition of Administrative Fees on Employers

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to adopt regulations to impose certain fees on certain participating employers that fail to provide certain information to the State Retirement Agency with regard to the enrollment of eligible employees in the

State Retirement and Pension System; and generally relating to the imposition of administrative fees on employers participating in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–110(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 376 – Senator McFadden (Chair, Joint Committee on Pensions)
and Senators Currie, Kasemeyer, Kramer, Munson, and Robey**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave – Creditable
Service**

FOR the purpose of prohibiting certain members of the State Retirement and Pension System from receiving creditable service for unused sick leave under certain circumstances; and generally relating to receiving creditable service in the State Retirement and Pension System for unused sick leave.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 20–206
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 377 – Senators Zirkin and Gladden

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Baltimore City – THE
ASSOCIATED: Jewish Community Federation of Baltimore**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to expand the authorized uses of a certain grant to the THE ASSOCIATED: Jewish Community Federation of Baltimore.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA00(B)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 378 – Senator Zirkin

AN ACT concerning

**Drunk Driving – Administrative Per Se Offense – Alcohol Concentration –
Ignition Interlock System Program**

FOR the purpose of requiring a police officer to advise a person that the person may elect under certain circumstances to participate in the Ignition Interlock System Program of the Motor Vehicle Administration instead of requesting a certain administrative hearing if the person takes a test that indicates a certain alcohol concentration; providing that a person who takes a test indicating a certain alcohol concentration may elect to participate in the Program instead of requesting a certain administrative hearing under certain circumstances; authorizing the Administration to modify a license suspension or issue a restrictive license for a licensee who takes a test that indicates a certain alcohol concentration under certain circumstances; requiring the Administration to adopt certain regulations; and generally relating to an administrative per se offense involving a certain alcohol concentration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(b)(3)(vii) and (n)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–404.1(b)(3)(iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 379 – Senators Zirkin and Stone

AN ACT concerning

**Baltimore County – Wireless Telecommunications Towers – Prohibition on
School System Property**

FOR the purpose of prohibiting the siting of wireless telecommunications towers on certain public school property in Baltimore County; and generally relating to

wireless telecommunications towers and the use of public school property in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–114
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 380 – Senator Rosapepe

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Prince George’s County
– Paint Branch Creek Restoration**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to remove a requirement that the Board of Directors of Anacostia Watershed Society, Inc. provide and expend a matching fund; altering the location of the authorized uses of the grant; and generally relating to the Paint Branch Creek Restoration.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (BK)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 381 – Senator Rosapepe

AN ACT concerning

Special Taxing Districts – Residential Property – Prohibition

FOR the purpose of prohibiting a county from creating a special taxing district that includes residential property or modifying an existing special taxing district to include residential property; abolishing any special taxing district created by a county that, as of a certain date, includes residential property; defining certain terms; and generally relating to prohibiting certain special taxing districts that include residential property.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9-1302
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 382 – Senators Dyson, Middleton, and Miller

AN ACT concerning

Environment – Patuxent River Watershed

FOR the purpose of requiring certain upgrades to certain sewage treatment plants in the Patuxent River watershed on or before a certain date; making the upgrade of certain sewage treatment plants in the Patuxent River watershed a priority for funding on or before a certain date; requiring the Bay Restoration Fund to be used to pay for the upgrades to certain sewage treatment plants in the Patuxent River watershed; and generally relating to the Patuxent River watershed and the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4-302.1 and 9-1605.2(i)(5)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 383 – Senators Currie and McFadden

AN ACT concerning

Tobacco Tax – Moist Snuff and Little Cigars

FOR the purpose of altering the application of the tobacco tax to certain cigars weighing less than a certain amount; altering the tobacco tax rate for certain tobacco intended to be placed in the oral cavity; providing a certain rate of tax for certain cigars; requiring a manufacturer that distributes free sample little cigars in the State to complete and file certain returns and pay certain tax on those little cigars; altering the information required to be stated in a tobacco tax return; requiring that little cigars be sold in a certain manner; defining certain terms; and generally relating to the taxation and packaging of certain tobacco products.

BY adding to
Article – Tax – General

Section 12-101(b-1) and (b-2)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12-101(c), 12-201, 12-202, and 12-302(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12-105
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

BY adding to
Article – Commercial Law
Section 11-5B-01 through 11-5B-03 to be under the new subtitle “Subtitle 5B.
Little Cigar Sales of Fewer Than Five Per Package”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 384 – Senator McFadden (Chair, Joint Committee on Pensions)
and Senators Currie, Kasemeyer, Kramer, Munson, and Robey**

AN ACT concerning

State Retirement and Pension Systems – Investments

FOR the purpose of repealing certain restrictions placed on the Board of Trustees for the State Retirement and Pension System with regard to investing the assets of the several systems of the State Retirement and Pension System; repealing the requirement that the Board of Public Works approve certain sales and purchases of real estate by the Board of Trustees; requiring the Comptroller, Treasurer, and Secretary of Budget and Management to approve certain sales and purchases of real estate by the Board of Trustees; requiring the Board of Trustees to submit certain reports by certain dates; clarifying that certain provisions of the State Finance and Procurement Article do not apply to certain transactions of the Board of Trustees; eliminating certain limitations on certain fees paid by the Board of Trustees to certain investment managers; clarifying that the Board of Trustees is not subject to any limitation on certain fees paid to

certain investment managers; and generally relating to the investments of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–123(c) and (f) and 21–315(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–123(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 385 – Senators Greenip, Brinkley, Colburn, DeGrange, Forehand, Harris, Jacobs, Kittleman, Lenett, Stoltzfus, and Stone

AN ACT concerning

Family Law – Termination of Parental Rights – Child Conceived as the Result of Rape

FOR the purpose of requiring that a court consider whether a parent has been convicted of rape that resulted in the conception of a child, under certain circumstances, in determining whether to terminate parental rights and grant guardianship or adoption of a child without consent; and generally relating to the termination of parental rights for a child conceived as the result of rape.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–323 and 5–3B–22
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 386 – Senators Greenip, Brinkley, Brochin, Edwards, Glassman, Haines, Harris, Jacobs, Kittleman, Kramer, and Stoltzfus

AN ACT concerning

Maryland Estate Tax – Unified Credit Effective Exemption Amount and Deduction for State Death Taxes

FOR the purpose of repealing a certain limit on the unified credit used for determining the Maryland estate tax; repealing a requirement that the Maryland estate tax be determined without regard to a certain deduction allowed under the federal estate tax; clarifying a certain limitation on the amount of the Maryland estate tax; providing for the application of this Act; providing that certain estates may claim a refund of the Maryland estate tax in certain circumstances; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7-309
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 387 – Senators Stone, Astle, DeGrange, Dyson, Exum, Glassman, Haines, King, and Klausmeier

AN ACT concerning

Criminal Law – Possessing Stolen Property

FOR the purpose of providing that in a prosecution for theft by possessing stolen property, it is not a defense that the property was obtained by certain means under certain circumstances; and generally relating to theft by possessing stolen property.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7-104(c)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 388 – Senators McFadden and Miller

AN ACT concerning

Income Tax Credit for Graduate Level Education – Nonpublic School Teachers

FOR the purpose of allowing teachers in certain nonpublic schools to claim a credit against the State income tax under certain circumstances for up to a certain amount of tuition paid by the teacher for certain graduate level education;

providing for the application of this Act; and generally relating to an income tax credit for tuition paid for certain graduate level education.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10-717
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 389 – Senator Frosh

AN ACT concerning

**Foreclosure – Residential Property – Trustee Commissions and
Attorney’s Fees**

FOR the purpose of providing that, in certain foreclosure actions, the court may only approve a trustee commission and attorney’s fees that the court finds reasonable after considering certain factors; prohibiting the court from approving a trustee commission or attorney’s fees exceeding certain amounts; and generally relating to trustee commissions and attorney’s fees in certain foreclosure actions.

BY adding to
Article – Real Property
Section 7-105.1
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 390 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Children’s Theatre of
Annapolis**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Children’s Theatre of Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 391 – Senators Astle and DeGrange

AN ACT concerning

Maryland Automobile Insurance Fund – Payment of Fees for Motor Vehicle Records – Required

FOR the purpose of requiring the Maryland Automobile Insurance Fund to pay to the Motor Vehicle Administration a certain fee for motor vehicle records provided by the Administration to the Fund; and generally relating to fees payable by the Maryland Automobile Insurance Fund.

BY adding to

Article – Insurance

Section 20–305

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 392 – Senators Forehand, Conway, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, and Raskin

AN ACT concerning

Domestic Violence – Enforcement of Protective Order

FOR the purpose of authorizing a judge to order a law enforcement officer to use all reasonable and necessary force to enforce a temporary custody provision of a final protective order; and generally relating to domestic violence.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 4–506(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Family Law

Section 4–506(e)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law
Section 4–506(e), (f), and (g) and 4–507(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 393 – Senators Forehand, Conway, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, Pugh, and Raskin

AN ACT concerning

Domestic Violence – Permanent Protective Order After Conviction and Imprisonment

FOR the purpose of providing that a protective order is permanent if a respondent is convicted and sentenced to imprisonment for a certain act of abuse; and generally relating to protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 394 – Senators Forehand, Garagiola, Jones, Kelley, King, Madaleno, Pinsky, Pugh, and Raskin

AN ACT concerning

Criminal Procedure – Pretrial Release – Violation of Condition of “No Contact” – Penalty

FOR the purpose of making it a misdemeanor to violate a certain condition of pretrial release that requires a defendant to have no contact with the alleged victim or the alleged victim’s premises or place of employment; requiring an officer to arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of a certain condition of pretrial release; establishing criminal penalties for a violation of a certain condition of pretrial release; and generally relating to violations of conditions of pretrial release.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 5–201(a)

Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5-213
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 395 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – South Branch Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Sykesville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 396 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – Agriculture Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Board of Directors of the Carroll County Agriculture Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 397 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – The Friendship School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Friendship School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 398 – Senator Astle

AN ACT concerning

Anne Arundel County – Environmental Health Monitoring – Reimbursement of Costs

FOR the purpose of requiring the Department of the Environment and the Department of Natural Resources to reimburse Anne Arundel County for the cost of certain environmental health monitoring and testing; requiring a reimbursement only if a certain fine is collected; limiting the amount of a reimbursement to a certain amount; providing that this Act shall apply retroactively only to certain costs incurred by Anne Arundel County; and generally relating to requiring reimbursement of Anne Arundel County for the cost of certain environmental health monitoring and testing.

BY adding to

Article – Environment

Section 1–303

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

BY adding to

Article – Natural Resources

Section 1–802

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 399 – Senator Astle

AN ACT concerning

Anne Arundel County – State Matching Stipends – National Certification

FOR the purpose of requiring the Governor to include in each year's operating budget funding for a certain stipend for certain teachers and nonadministrative school-based employees who hold certain certificates and who are employed by the Anne Arundel County Board of Education; and generally relating to State matching stipends for qualified teachers and employees in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–306
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 400 – Senator Astle

AN ACT concerning

Anne Arundel County – Development Impact Fees – Not-For-Profit Entities

FOR the purpose of authorizing the County Council of Anne Arundel County to enact an ordinance to grant exemptions from or credits against development impact fees for development by not-for-profit entities; requiring the ordinance to set the amount of, establish the conditions of eligibility for, and adopt procedures for the exemptions or credits; and generally relating to development impact fees in Anne Arundel County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Anne Arundel County
Section 17–11–215
Article 2 – Public Local Laws of Maryland
(2005 Edition and December 2007 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 28 – Senator Forehand

AN ACT concerning

All-Terrain ~~Vehicles~~ ~~Protective Headgear~~ Vehicle Safety Task Force

SB0028/978878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 28
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicles – Protective Headgear” and substitute “Vehicle Safety Task Force”; strike beginning with “prohibiting” in line 3 down through “vehicles” in line 7 and substitute “establishing an All-Terrain Vehicle Safety Task Force; providing for the membership and duties of the Task Force; requiring the Task Force to select a chair from among its members; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to report to the Governor and the General Assembly by certain dates; providing for the termination of this Act; and generally relating to the establishment of an All-Terrain Vehicle Safety Task Force”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 2

On page 1, in line 14, strike “the Laws of Maryland read as follows”. On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 9 on page 2, inclusive, and substitute:

- “(a) There is an All-Terrain Vehicle (ATV) Safety Task Force.
- “(b) The Task Force shall consist of the following members:
 - “(1) the Secretary of Natural Resources, or the Secretary’s designee;
 - “(2) the Secretary of Transportation, or the Secretary’s designee;

(3) one representative of the Office of Injury Prevention of the Department of Health and Mental Hygiene, appointed by the Secretary of Health and Mental Hygiene; and

(4) the following members, appointed by the Executive Director of the Maryland Institute for Emergency Medical Services Systems:

(i) one representative of TraumaNet;

(ii) one representative of the Maryland Chapter of the American College of Emergency Physicians;

(iii) one representative of the Maryland Chapter of the American Academy of Pediatrics;

(iv) one representative of the Maryland Chapter of the American Trauma Society;

(v) one representative of the Maryland Emergency Nurses Association;

(vi) one representative of Johns Hopkins School of Public Health;

(vii) one representative of Children's National Medical Center;

(viii) one member representing the interests of ATV dealers;

(ix) one member representing the interests of private ATV recreational parks;

(x) one member representing the interests of providers of property, casualty, and health insurance in the State;

(xi) one representative of the ATV Safety Institute;

(xii) one representative of the Specialty Vehicle Institute of America;

(xiii) one representative of the Maryland Institute for Emergency Medical Services Systems;

(xiv) one representative of the Maryland State Firemen's Association; and

(xv) one representative of a Maryland ATV club from each of the following regions:

1. western Maryland;
2. southern Maryland;
3. the eastern shore of Maryland; and
4. central Maryland.

(c) From among its members, the Task Force shall select a chair of the Task Force.

(d) The Maryland Institute for Emergency Medical Services Systems shall provide staff for the Task Force.

(e) A member of the Task Force may not receive compensation as a member of the Task Force.

(f) The Task Force shall identify and study major issues related to ATV safety and shall make findings and recommendations regarding:

- (1) accurate methods of tracking ATV ownership in the State;
- (2) appropriate safety equipment;
- (3) effective methods of educating consumers;
- (4) appropriate locations for ATV use;
- (5) training for ATV owners;

(6) public awareness of ATV safety-related topics; and

(7) any other topic related to ATV safety deemed appropriate by the Task Force.

(g) The Task Force shall report its findings and recommendations to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly, in an interim report, on or before December 15, 2008, and in a final report, on or before May 31, 2009.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2008. It shall remain effective for a period of 1 year and, at the end of May 31, 2009, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0028/393328/1

BY: Senator Haines

AMENDMENT TO SENATE BILL 28, AS AMENDED

On page 3 of the Judicial Proceedings Committee Amendments (SB0028/978878/1), in line 9 of Amendment No. 2, strike “and”; and in line 15, after “Maryland” insert “; and”

(xvi) the Executive Director of ABATE of Maryland, Inc., or the Executive Director’s designee”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 57 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Commissioners – Jurisdiction

Senator Harris moved, duly seconded, to make the Bill and Report a Special Order for January 31, 2008.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 87)

ADJOURNMENT

At 10:48 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 31, 2008.

Annapolis, Maryland
Thursday, January 31, 2008
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Pastor Jim Kirk, formerly of Harundale Presbyterian Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 30, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Lenett be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 90)

INTRODUCTION OF BILLS

Senate Bill 401 – Senator Stone

AN ACT concerning

**Public Health – Ephedrine, Pseudoephedrine, or Phenylpropanolamine
Purchases – Statewide Electronic Logbook**

FOR the purpose of requiring the Alcohol and Drug Abuse Administration to assist in the regulation of the sale of ephedrine, pseudoephedrine, or phenylpropanolamine by establishing and maintaining a real-time statewide electronic logbook for the purpose of allowing pharmacies and retailers to enter into the logbook any transaction required to be reported by statute relating to the sale of ephedrine, pseudoephedrine, or phenylpropanolamine; requiring the Administration to adopt regulations requiring pharmacies and retailers to maintain electronic logs of certain ephedrine, pseudoephedrine, or phenylpropanolamine purchases, enter certain information about certain purchases into the statewide electronic logbook, and require a person

purchasing, receiving, or otherwise acquiring ephedrine, pseudoephedrine, or phenylpropanolamine to produce certain proof of identity and sign the electronic log or a receipt that documents the date of the transaction, the name of the person, and the quantity of ephedrine, pseudoephedrine, or phenylpropanolamine purchased, received, or otherwise acquired; requiring the Administration to provide pharmacies and retailers in the State access to the electronic logbook for the purpose of entering transaction information required to be reported by statute and certain technical assistance; providing that the electronic logbook has the capability to calculate both State and federal ephedrine, pseudoephedrine, or phenylpropanolamine purchase limitations; providing that information entered into the electronic logbook is confidential and is not subject to the Freedom of Information Act; requiring the Administration to provide access to the real-time electronic logbook to certain persons and law enforcement officials; authorizing the Administration to destroy certain transaction records maintained in the real-time electronic logbook within a certain date from the date of entry unless the transaction record is being used in an ongoing criminal investigation or criminal proceeding; prohibiting a pharmacy or retailer from selling ephedrine, pseudoephedrine, or phenylpropanolamine in violation of this Act; prohibiting a person from knowingly releasing or disclosing to an unauthorized person confidential information collected and maintained under this Act or obtaining confidential information for a purpose not authorized by this Act; establishing penalties for a violation of this Act; making this Act subject to a certain contingency; providing for a delayed effective date; and generally relating to the sale or purchase of ephedrine, pseudoephedrine, or phenylpropanolamine.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 8–101(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 8–406
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 402 – Senator Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Shore Stabilization

FOR the purpose of authorizing the creation of a State Debt in the amount of \$1,500,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 403 – Senator Stone

AN ACT concerning

Courts – Jury Trials in Civil Actions – Amount in Controversy

FOR the purpose of altering the amount in controversy in a civil action in which a party may not demand a jury trial; providing for the construction and application of this Act; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to jury trials in civil actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–402(e)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 404 – Senator Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Civil Jury Trials – Amount in Controversy

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to alter the amount in controversy in civil proceedings in which the right to a jury trial may be limited by legislation; altering the amount in controversy in civil proceedings in which the right to a jury trial shall be inviolably preserved; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Declaration of Rights
Articles 5(a) and 23

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 405 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Helping Up Mission

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of the Helping Up Mission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 406 – Senator Della

AN ACT concerning

Tax Sales – Notice Prior to Action to Foreclose Right of Redemption

FOR the purpose of providing that an action to foreclose the right of redemption for property sold at a tax sale may not be brought until at least a certain period after a certain notice is provided to certain persons in a certain manner; providing certain exceptions; altering certain fees; providing for the application of this Act; and generally relating to a certain notice requirement relating to property purchased at a tax sale.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–833(a) and 14–843
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 407 – Senator Della

AN ACT concerning

Elevator Safety Review Board Fund

FOR the purpose of establishing the Elevator Safety Review Board Fund; providing for the purpose, administration, composition, use, investments, and expenditures of the Fund; providing that the Fund is a special, nonlapsing fund; requiring certain fees collected for certain registrations and certain licenses to be paid into the Fund; and generally relating to the Elevator Safety Review Board Fund.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–809 and 12–824
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY adding to
Article – Public Safety
Section 12–824.1
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 408 – Senator Della

AN ACT concerning

Electric Restructuring – Nuclear Reactor – Recovery of Decommissioning Costs

FOR the purpose of prohibiting, as of a specified date, certain nuclear reactor decommissioning costs from being recovered from retail electric customers through electric rates; providing for the construction of this Act; and generally relating to the recovery of decommissioning costs for nuclear reactors.

BY adding to
Article – Public Utility Companies
Section 7–518
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 409 – Senator Della

AN ACT concerning

**Real Property – Agricultural and Historic Property – Prohibition on
Condemnation**

FOR the purpose of prohibiting the State or any of its instrumentalities or political subdivisions from acquiring all or any part of private property by condemnation under certain circumstances; and generally relating to condemnation.

BY adding to

Article – Real Property

Section 12–101.1

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 410 – Senator Della

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Project
T.O.O.U.R.**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Directors of Project T.O.O.U.R., Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005

Section 1(3) Item ZA01(U)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 411 – Senator Edwards

AN ACT concerning

**Allegany County – Investment for Video Lottery Construction –
Reimbursement for Rocky Gap Construction Costs**

FOR the purpose of requiring that, to the extent that money remains after payment of certain costs for video lottery terminals on a location on State property associated with Rocky Gap State Park, Allegany County be reimbursed up to a certain amount for its contribution toward constructing certain improvements in Rocky Gap State Park; providing that money reimbursed to the county be considered part of the direct investment in construction and related costs required of an applicant for a video lottery operation license; making this Act

contingent on the taking effect of another Act; and generally relating to video lottery gaming in Allegany County.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–02(b)(1)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 4 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–36(j)(3)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 4 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 412 – Senators Forehand and Miller

AN ACT concerning

Task Force to Study Changes to the Automotive Warranty Enforcement Act

FOR the purpose of establishing the Task Force to Study Changes to the Automotive Warranty Enforcement Act; providing for the membership of the Task Force; providing for the appointment of the chair of the Task Force; providing for the staffing of the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to a certain reimbursement; requiring the Task Force to study and make recommendations regarding certain topics; requiring the Task Force to make a certain report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to motor vehicles and motor vehicle warranty enforcement.

Read the first time and referred to the Committee on Finance.

Senate Bill 413 – Senators Stone and Haines

AN ACT concerning

Courts – Service of Process – Motor Vehicle Administration as Agent for Nonresident Driver

FOR the purpose of designating the Motor Vehicle Administration as the agent for a certain nonresident driver with regard to a subpoena, summons, or other process issued in a certain action related to a certain motor vehicle accident under certain circumstances; requiring the Administration to take certain action, provide copies of certain documents on request, and keep certain records; authorizing the Administration to establish and collect a certain fee; authorizing the Administration to serve as an agent for service of certain papers in certain circumstances; requiring a certain party seeking service of process on a nonresident driver to provide a copy of a certain affidavit to the nonresident's insurer; defining certain terms; providing for the application of this Act; and generally relating to service of process on nonresident drivers under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings
Section 6–313
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11–135, 11–139, 11–140, and 12–104(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Transportation
Section 12–104(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 414 – Senators Stone, Jacobs, and Della

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalties

FOR the purpose of changing the offense of possession of child pornography from a misdemeanor to a felony; and generally relating to child pornography.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 11–208
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 415 – Senator Stone (Chair, Baltimore County Senators) and Senator Klausmeier

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2007 – Baltimore County – Northeast Skate Park

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to alter the location of the Northeast Skate Park; and generally relating to the Northeast Skate Park.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(Z)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 416 – Senators Stone, Haines, Harris, and Klausmeier

AN ACT concerning

Property Tax – Senior Citizen Property Tax Work–Off Program

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to establish, by law, a property tax work–off program that allows certain individuals to perform certain work in lieu of paying the county or municipal tax imposed on residential real property under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to a property tax work–off program.

BY adding to
Article – Tax – Property
Section 9–248
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 417 – Senators Edwards, Brinkley, Kittleman, and Munson

EMERGENCY BILL

AN ACT concerning

**Public Service Commission – Energy Efficiency and Conservation Programs
and Services – Prohibition of Surcharge Without Customer Consent**

FOR the purpose of prohibiting the Public Service Commission from approving any program or service for the use and conservation of energy that requires or allows a gas company or an electric company to provide a product or service to a gas customer or an electric customer for which the customer would be charged a surcharge without a certain consent; requiring a gas company or an electric company under certain circumstances to separately state a certain surcharge and clearly describe the purpose of the surcharge on a customer's bill; requiring, under certain circumstances, a gas company or an electric company to refund the amount of the surcharge or credit the amount of the surcharge; making this Act an emergency measure; and generally relating to energy efficiency and conservation programs and services approved by the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7-211
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 418 – Senator Glassman

AN ACT concerning

**Creation of a State Debt – Harford County – Lower Susquehanna Greenway
Trail Development**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Lower Susquehanna Heritage Greenway, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 419 – Senator Glassman

AN ACT concerning

Agriculture – Seed and Nursery Stock for Native Plants – Funding

FOR the purpose of establishing the Maryland Native Plants Program for certain purposes; requiring the Department of Agriculture to increase awareness of native plants and provide certain grants under the Program; requiring the Governor to include a certain appropriation for the Program in the State budget for certain fiscal years; and generally relating to increasing the availability of seed and nursery stock for certain native plants.

BY adding to

Article – Agriculture

Section 2–1301 to be under the new subtitle “Subtitle 13. Maryland Native Plants Program”

Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 420 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Hagerstown YMCA

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the dead line by which the Board of Directors of the Young Men’s Christian Association of Hagerstown, Maryland, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA00 (C)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 421 – Senators Kittleman, Brinkley, Colburn, Greenip, Mooney, Pipkin, and Stone

AN ACT concerning

Counties and Municipal Corporations – “Sanctuary Laws” for Illegal Aliens – Prohibition

FOR the purpose of requiring local governments to fully comply with and support federal immigration law; defining a certain term; prohibiting local governments from restricting their officials, personnel, or agents from requesting, obtaining,

sending, receiving, or maintaining certain immigration information; requiring local governments to implement certain requirements and obligations in a certain manner; requiring local governments to comply with certain provisions of law in order to receive certain aid from the State; and generally relating to compliance with and support of enforcement of federal immigration law by local governments.

BY adding to

Article – Public Safety
Section 3–507
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments
Section 4–405
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 422 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

Deferred Retirement Option Program Participants – Application of Line of Duty Disability Benefits

FOR the purpose of limiting the circumstances under which certain retirees of the State Police Retirement System or the Law Enforcement Officers' Pension System who are participating in the Deferred Retirement Option Program may apply for certain disability retirements; providing for the application of this Act; and generally relating to retirees receiving a line of duty disability retirement benefit while participating in the Deferred Retirement Option Program.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 24–401.1(k), 26–401.1(k), and 29–111
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 423 – Senator Madaleno

AN ACT concerning

Video Lottery Terminals – Ballot Issue Committee – Expansion of Required Information

FOR the purpose of requiring a ballot issue committee that is formed to promote the success or defeat of the constitutional amendment to authorize video lottery terminal gaming in the State to file an additional campaign finance report at a certain time; requiring a business entity that makes expenditures of a certain amount for a certain purpose to file a certain campaign finance report and include certain information about certain expenditures; defining a certain term; and generally relating to video lottery.

BY repealing and reenacting, with amendments,
Chapter 4 of the Acts of the General Assembly of the Special Session of 2007
Section 10

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 424 – Senator Madaleno

AN ACT concerning

Task Force to Study the Notary Commission Process

FOR the purpose of establishing a Task Force to Study the Notary Commission Process; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the Office of the Secretary of State to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation, but authorizing certain reimbursement for certain expenses; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Notary Commission Process.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 425 – Senator Peters

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

FOR the purpose of reducing the number of years of creditable service that a member of the State Retirement and Pension System is required to accrue in order to be eligible to receive military service credit; and generally relating to the eligibility

requirements for receiving military service credit in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 426 – Senators Peters, Jacobs, and Rosapepe

AN ACT concerning

Income Tax Subtraction Modification – Military Pay

FOR the purpose of altering a certain subtraction modification under the State income tax for certain military income attributable to military service outside the United States; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain military income attributable to service outside the United States.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(p)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 427 – Senators Harris and Stone

AN ACT concerning

Due Process – The Right to Life Act

FOR the purpose of establishing that a person's right to due process and equal protection of the laws guaranteed under the Maryland Constitution vests at conception; and generally relating to due process and equal protection of laws under the Maryland Constitution.

BY adding to

Article 1 – Rules of Interpretation
Section 38
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Judicial Proceedings.

Senate Bill 428 – Senators Pinsky, Raskin, Conway, Della, King, Lenett, and Madaleno

AN ACT concerning

**Education – Military Recruiters – Student Contact
Information – Opportunity to Opt Out**

FOR the purpose of requiring public schools to provide notice to certain students or the parents or guardians of the students about the right not to release student contact information to military recruiters; requiring public schools to include the notice in a certain format, size, and type on the card requesting emergency contact information for the student; requesting the student or the parent or guardian of the student to indicate whether the student's contact information is to be released to military recruiters; requiring the principal of a school to submit to the county board of education a list of students whose names are not submitted to military recruiters; and generally relating to the right not to release student contact information to military recruiters.

BY repealing and reenacting, with amendments,

Article – Education
Section 7-111
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 429 – Senator Pinsky

AN ACT concerning

Creation of a State Debt – Prince George's County – Multicultural Use Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Board of Directors of the Latin American Youth Center, Inc. for certain development or improvement

purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 430 – Senator Pinsky

AN ACT concerning

Creation of a State Debt – Prince George’s County – Lanham Boys and Girls Club Sports Park Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Lanham Boys and Girls Club Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 431 – Senators Pinsky, Raskin, Brochin, Conway, Dyson, Frosh, Garagiola, Madaleno, and Rosapepe

AN ACT concerning

Natural Resources – Forest Conservation Act – No Net Loss of Forest

FOR the purpose of requiring the Department of Natural Resources, on or before a certain date, to conduct a certain assessment, develop certain draft legislation, and submit the draft legislation to the Governor and General Assembly; and generally relating to the Forest Conservation Act.

BY adding to

Article – Natural Resources

Section 5–1614

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 432 – Senator Jones

AN ACT concerning

Creation of a State Debt - Baltimore City - Garrett-Jacobs Mansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Trustees of the Garrett-Jacobs Mansion Endowment Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 433 - Senators Pugh, Currie, Exum, Forehand, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Raskin, Robey, Rosapepe, and Peters

AN ACT concerning

Pharmacy Permit Holders - Signs for Reporting Incorrectly Filled Prescriptions

FOR the purpose of requiring pharmacy permit holders to post certain signs that inform consumers about how to report incorrectly filled prescriptions; requiring that certain signs be in a certain font; requiring that certain signs be positioned and readable at certain points where certain drugs are dispensed to consumers; and generally relating to pharmacy permit holders and signs.

BY repealing and reenacting, with amendments,
Article - Health Occupations
Section 12-403(b)(18) and (19)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article - Health Occupations
Section 12-403(b)(20)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 434 – Senator Dyson (Chair, Task Force on Incentives for Agriculture)

AN ACT concerning

Incentives for Agriculture Act of 2008

FOR the purpose of requiring the Governor to include in the annual budget bill for certain fiscal years a certain appropriation to the Maryland Agricultural Resource–Based Industry Development Corporation for the Next Generation Farmland Program; altering the determination of the Maryland estate tax under certain circumstances to exclude from the gross estate the value of certain agricultural property; altering a certain income tax credit for certain donations of certain interests in land for certain purposes to the Maryland Agricultural Land Preservation Foundation or the Maryland Environmental Trust; providing for applications to the Department of Agriculture for approval of the credit and certification by the Department to taxpayers of approved credit amounts; limiting the total amount of credits the Department may approve in a calendar year to a certain amount; requiring the Department to approve a prorated credit for each applicant if the total amount applied for exceeds the maximum that may be approved; providing that a certain income tax credit for agricultural land preservation or conservation is refundable; requiring the submission of a certain report by the Department by a certain date; altering certain production credits for certain ethanol and biodiesel products; altering certain limits on the number of gallons of ethanol and biodiesel products that may qualify for a production credit in a calendar year; requiring a claim for a production credit to include certain information; requiring the Department of Budget and Management, in consultation with the Department of Agriculture and the Department of Natural Resources, to examine the feasibility of establishing a certain forest health contingency fund; defining certain terms; and generally relating to incentives for agriculture in the State.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 13–513(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b) and 10–723
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–1501, 10–1504(d), 10–1505, and 10–1506(b) and (c)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 435 – Senator Glassman

AN ACT concerning

Creation of a State Debt – Harford County – Churchville Library Green Building and Science Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Harford County Public Library Foundation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 436 – Senators Pugh, McFadden, Conway, Currie, Forehand, Garagiola, Glassman, Jones, Kasemeyer, Kelley, King, Lenett, Madaleno, Muse, Peters, Raskin, and Robey

AN ACT concerning

Education – Age of Compulsory Attendance – Exemptions

FOR the purpose of requiring certain children under a certain age to attend a public school regularly during the entire school year, subject to certain exceptions; raising the age to which certain persons are responsible for a child's attendance at school or receipt of certain instruction; requiring certain children to attend alternative educational programs or to be given certain information regarding GED programs by certain county boards of education; making certain stylistic changes; and generally relating to the age of compulsory school attendance.

BY repealing and reenacting, with amendments,
Article – Education

Section 7-301
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 437 – Senators Jones, Forehand, Kramer, Madaleno, Pugh, Raskin, and Rosapepe

AN ACT concerning

State Designations – Walking as the State Exercise

FOR the purpose of designating walking as the State exercise.

BY adding to
Article – State Government
Section 13-320
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 438 – Senators Jones, Conway, Currie, Gladden, King, McFadden, Muse, Pugh, and Raskin

AN ACT concerning

Institutions of Higher Education – Plans for Programs of Cultural Diversity

FOR the purpose of requiring certain nonpublic institutions of higher education to submit a certain report regarding cultural diversity programs to the Maryland Independent College and University Association on or before a certain date each year; requiring the Association to submit a certain report on the status of certain cultural diversity programs to the Maryland Higher Education Commission on or before a certain date each year; requiring the report to include a certain analysis; requiring certain public institutions of higher education to develop and implement certain plans for a program of cultural diversity; requiring certain plans to include certain improvements to certain programs under certain circumstances; requiring certain plans to include certain implementation strategies and timelines for meeting certain goals; providing for the contents of a certain plan; requiring certain plans to enhance certain programming and certain sensitivity through certain instruction and training; requiring certain public institutions of higher education to submit certain plans to the governing body of the institution for review on or before a

certain date each year; requiring the governing body of certain institutions to submit a certain progress report to the Commission on or before a certain date each year; requiring the Commission to review the progress report to monitor compliance with the goals of the State Plan for Higher Education; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date each year; and generally relating to plans for programs of cultural diversity.

BY repealing and reenacting, with amendments,
Article – Education
Section 10–211
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 11–406
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 439 – Senator Jones

AN ACT concerning

Election Law – Polling Place Designation – Senior Centers

FOR the purpose of authorizing a local board of elections to use a senior center as a polling place under certain circumstances; requiring local boards of elections to designate any senior center that contains 100 or more registered voters as a polling place, subject to a certain exception; requiring a senior center to provide a certain facility without charge for use as a polling place; requiring a local board to attempt to recruit election judges to staff a polling place designated at a senior center from any institution of higher education in the county; and generally relating to the designation of certain senior centers as polling places.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–101 and 10–102
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 440 – Senator Jones

AN ACT concerning

Creation of a State Debt – Maryland General Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of Maryland General Hospital, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 441 – Senators Frosh, Brochin, and Garagiola

AN ACT concerning

Criminal Procedure – Offender Registry – Minors

FOR the purpose of establishing that a certain part of a police or court record pertaining to a child may be accessed and used by the Department of Public Safety and Correctional Services and certain supervising authorities for certain purposes relating to a certain offender registry; altering the definitions of “child sexual offender” and “sexually violent offender” for purposes of a certain offender registry to include certain persons who have been adjudicated delinquent for acts that would constitute certain offenses if committed by an adult; altering the definition of “supervising authority” for purposes of a certain offender registry to include the court in which certain persons are adjudicated delinquent; requiring a certain person to register with a supervising authority for inclusion on a certain offender registry if the person was at least a certain age at the time a certain act was committed, is determined by the court at the time a certain court jurisdiction is terminated to be at risk of committing certain offenses, and is at least a certain age; requiring the State’s Attorney to serve a certain written notice within a certain period; requiring the Department of Juvenile Services to provide the court with certain information and conduct certain follow-up; establishing that a certain person is required to register with a supervising authority within a certain time after a certain jurisdiction of the juvenile court terminates; altering the definition of “resident” for purposes of a certain offender registry; requiring that a certain person is required to register with a certain local law enforcement unit after a certain jurisdiction of the juvenile court is terminated; establishing that, for a certain person, a term of registration on a certain offender registry is computed from the time a certain

jurisdiction of the juvenile court is terminated; defining a certain term; and generally relating to the inclusion of minors on the offender registry.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(1) and (b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–27(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(b), (f), and (i), 11–704, 11–705, and 11–707
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(g)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 442 – Senators Frosh, Conway, and Pinsky

AN ACT concerning

Environment – Clean Air Permit Fees

FOR the purpose of prohibiting all moneys in the Maryland Clean Air Fund from reverting or being transferred to the General Fund; increasing the maximum amount of a certain fee; eliminating the cap on a certain fee; removing obsolete language; making stylistic changes; and generally relating to air quality and permit fees.

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–107 and 2–403
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 443 – Senators Frosh, Conway, and Dyson

AN ACT concerning

State Board of Physicians – Subpoenas – Medical Records for Mental Health Services

FOR the purpose of requiring certain health care providers, in accordance with a subpoena, to disclose certain medical records for mental health services to the State Board of Physicians for certain investigations into complaints made by a certain person under certain circumstances; authorizing the Board to issue certain subpoenas for medical records for mental health services for certain investigations if on a certain date the Board notifies the person in interest by certified mail that the subpoena has been issued and that the person in interest may assert certain rights within a certain period of time; authorizing the Board to require the disclosure of certain medical records if certain rights are not asserted within a certain period of time; and generally relating to the issuance of subpoenas for medical records for mental health services by the State Board of Physicians.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–307(k)(1)(v)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–401(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 444 – Senators King, Currie, DeGrange, Edwards, Forehand, Garagiola, Jones, Kasemeyer, Kramer, Madaleno, Munson, Peters, Raskin, Robey, and Stoltzfus

AN ACT concerning

Corporate Income Tax – Reporting

FOR the purpose of altering certain definitions for purposes of certain requirements for certain corporations to submit certain reports to the Comptroller; altering the reporting requirements and limiting the reporting requirements to certain taxable years; prohibiting the disclosure of certain information to certain governmental units or officials; repealing certain penalty provisions and authorizing the Comptroller to develop and implement a certain penalty system relating to certain reporting requirements; altering the due date for a certain annual report by the Comptroller; requiring a certain commission in consultation with the Comptroller to review certain requirements and definitions and submit certain recommendations to the Governor and General Assembly by a certain date; and generally relating to certain requirements for certain corporations to submit certain reports to the Comptroller.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–804.1

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session

Section 10

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 445 – Senators Pugh and McFadden (By Request – Baltimore City Administration) and Senators Conway and Jones

AN ACT concerning

Underground Facilities – Determination of Marking – Initial Fees

FOR the purpose of providing that the one–time initial fee that a political subdivision or municipal corporation may charge, assess, or collect from a person, under the Miss Utility program includes reimbursement of expenses that the political subdivision or municipal corporation incurs to determine if marking of the underground facility is needed; and generally relating to the Miss Utility program and marking of underground facilities.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 12–111

Annotated Code of Maryland

(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 446 – Senators Pugh, Currie, Forehand, Kelley, Madaleno, McFadden, Muse, Peters, and Robey

AN ACT concerning

Correctional Facilities – Released Inmates – Identification Cards

FOR the purpose of requiring the Commissioner of Correction to issue an identification card that meets certain requirements to an inmate on release from a certain State correctional facility; requiring the Commissioner of Correction to adopt certain regulations; and generally relating to identification cards for released inmates.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 9–609
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY adding to
Article – Correctional Services
Section 9–609.1
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 447 – Senators Pugh, Conway, Currie, Forehand, Jones, King, Lenett, Madaleno, McFadden, Peters, and Raskin

AN ACT concerning

Education – High School Diploma – GED Options Program

FOR the purpose of requiring the State Board of Education to establish a GED Options Program that provides certain students with an alternative course for obtaining a high school diploma beginning on a certain date; providing for certain program requirements; requiring students enrolled in a certain program to be counted in the average daily attendance of a certain school system; requiring the State Board to adopt certain regulations; and generally relating to the GED Options Program for obtaining a high school diploma.

BY repealing and reenacting, with amendments,
Article – Education

Section 7-206
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 7-208
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7-301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 448 – Senators Pipkin and Rosapepe

AN ACT concerning

**Constellation Energy Group, Inc., and Baltimore Gas and Electric Company –
Return of Transition Costs**

FOR the purpose of requiring the Public Service Commission to require Constellation Energy to return a certain amount of money in transition costs to Baltimore Gas and Electric Company; requiring Baltimore Gas and Electric Company to use certain transition costs to reduce, in a certain manner, certain electricity rates; and generally relating to the return of transition costs from Constellation Energy Group, Inc., to Baltimore Gas and Electric Company.

BY adding to
Article – Public Utility Companies
Section 7-518
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 449 – Senators Pipkin and Brinkley

AN ACT concerning

Crimes – Self-Defense – No Duty to Retreat or Seek Safety by Escape

FOR the purpose of authorizing a person charged with a certain crime to assert a claim of self-defense even though the person failed to retreat or seek safety by escape; and generally relating to the defense of self-defense.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–209
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 450 – Senators Pipkin and Rosapepe

AN ACT concerning

Public Service Commission – Electric and Gas Consumers

FOR the purpose of providing that the primary objective of the Public Service Commission is to obtain the lowest rates for consumers when setting a just and reasonable rate of an electric company or gas company; providing that the primary purpose of the Commission when carrying out certain functions relating to natural gas suppliers is to obtain the lowest rate for gas consumers; requiring that certain consumer protection orders and regulations adopted by the Commission relating to gas suppliers be designed to obtain the best price for consumers; and generally relating to the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 4–102 and 7–604
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–601.1
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 451 – Senator Kramer

AN ACT concerning

Creation of a State Debt – Montgomery County – The Muslim Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors and the Board of Trustees of the Muslim Community Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 452 – Senator Kramer

AN ACT concerning

Creation of a State Debt – Montgomery County – Laytonsville District Volunteer Fire Station

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Laytonsville District Volunteer Fire Department, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 453 – Senator Kasemeyer

AN ACT concerning

Family Law – Foster Care – Payment Rates

FOR the purpose of altering the monthly rate of payment for foster care in a single family home beginning in a certain fiscal year; specifying that the monthly rate may be increased based on certain factors; repealing certain provisions relating to the payment of foster care for a child who needs certain special care; requiring the Secretary of Human Resources to make a certain determination in cooperation with certain representatives and to report to the General Assembly on or before a certain date; and generally relating to payment for foster care.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 5–527
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 454 – Senators Jacobs, Astle, Brinkley, Colburn, Edwards,
Greenip, Haines, Kittleman, Kramer, Mooney, and Munson**

AN ACT concerning

Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act

FOR the purpose of requiring drivers approaching emergency or police vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency or police vehicle under certain circumstances; establishing a certain penalty for a violation of this Act; and generally relating to requiring drivers to take certain actions when approaching emergency or police vehicles on a highway.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–405
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 455 – Harford County Senators

AN ACT concerning

Personal Property Tax – Refunds and Reports – Interest

FOR the purpose of allowing a county to pay a claim for a refund of personal property tax without interest within a certain period after the claim is approved under certain circumstances; providing for the application of this Act; and generally relating to refunds and reports for personal property tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–919
Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 456 – Senator Astle

AN ACT concerning

Sales and Use Tax – Energy Star Product Exemptions – Boilers

FOR the purpose of altering a certain definition under the sales and use tax to include boilers for purposes of a certain tax-free period during which an exemption from the sales and use tax is provided for the sale of certain appliances that meet or exceed certain applicable energy efficiency guidelines; and generally relating to exemptions from the sales and use tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–226

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 457 – Senator Astle

AN ACT concerning

Interstate Compact on Educational Opportunity for Military Children

FOR the purpose of establishing, through a certain Interstate Compact with certain other member states, the Interstate Compact on Educational Opportunity for Military Children for certain purposes; providing for the transfer of certain educational records and enrollment of certain children in certain schools; providing for the placement of certain children in certain courses, educational programs, and special education services on transfer; establishing certain eligibility criteria for certain school programs; establishing certain procedures to facilitate the graduation of certain students from high school; establishing a certain State Council for coordinating certain services; establishing the Interstate Commission on Educational Opportunity for Military Children; providing for the composition, meetings, and powers and duties of the Interstate Commission; providing for the organization and operation and the rulemaking functions of the Interstate Commission; providing for the oversight and enforcement of the Interstate Compact and the resolution of disputes between certain member states; providing for the financing of the Interstate

Commission; establishing procedures for amending the Interstate Compact; establishing certain withdrawal and dissolution procedures for certain members of the Interstate Compact; defining certain terms; making this Act subject to a certain contingency; and generally relating to the Interstate Compact on Educational Opportunity for Military Children.

BY adding to

Article – Education

Section 7–1301 through 7–1303 to be under the new subtitle “Subtitle 13. Interstate Compact on Educational Opportunity for Military Children”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 458 – Senators Astle, Forehand, Jacobs, and Middleton

AN ACT concerning

Tourism Promotion Act of 2008

FOR the purpose of requiring the Maryland Tourism Development Board to provide certain grants to the destination marketing organizations and certain financial assistance to the Office of Tourism Development; for a certain fiscal year, requiring the Governor to include in the annual budget bill a certain proposed General Fund appropriation to the Maryland Tourism Development Board Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill a certain proposed General Fund appropriation based on certain prior fiscal year appropriations; beginning in a certain fiscal year, requiring the Treasurer to deposit annually into the Fund a certain additional amount derived from sales tax revenues collected on certain retail sale of tourist-oriented goods and services; specifying the calculation for the additional amount to be deposited into the Fund; limiting the total annual funding that may be deposited into the Fund from certain sources; providing that any amount that may not be deposited into the Fund due to the limitation shall be deposited into the General Fund; encouraging certain local government to reevaluate certain policies governing the means by which revenues derived from local hotel and motel taxes are shared between local governments and the destination marketing organizations; requiring that the annual operating budget of the Office shall continue to be financed from the General Fund with additional support consistent with this Act; requiring that on or before a certain date each year, the Department of Business and Economic Development shall report to certain persons on a certain analysis of the effectiveness of this Act and provide a certain recommendation; and generally relating to promoting tourism in Maryland.

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 4–206
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 4–207 and 4–208
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

Senate Bill 459 – Senators Middleton, Colburn, Dyson, Edwards, Glassman, and Munson

AN ACT concerning

Task Force to Review Physician Shortages in Rural Areas

FOR the purpose of creating a Task Force to Review Physician Shortages in Rural Areas; providing for the composition, cochairs, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but authorizing members to be reimbursed for certain expenses; requiring the Task Force to study the recruitment and retention of certain physicians in certain rural areas, the funding of certain programs, certain academic recruitment programs, certain federal and State programs relating to physician distribution, and certain financial and tax incentives for physicians who practice in certain rural areas; requiring the Task Force to make certain recommendations; requiring the Task Force to report to the Governor and to certain committees of the General Assembly regarding certain findings and recommendations; providing for the termination of this Act; and generally relating to the Task Force to Review Physician Shortages in Rural Areas.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 460 – Senators Middleton and Dyson

AN ACT concerning

Vehicle Laws – Moving Violations by Minors – Notification of Parent or Guardian

FOR the purpose of requiring the Motor Vehicle Administration to notify the parent, guardian, or other cosigner of a minor's driver's license application if a citation is issued to the minor charging the minor with a certain moving violation; requiring the Chief Judge of the District Court, in conjunction with the Motor Vehicle Administrator, to establish procedures for notifying the Administration of each citation within the jurisdiction of the District Court that is issued to a minor licensed in the State charging that the minor committed a certain moving violation; requiring the notice provided by the Administration to contain certain information; providing for the construction and applicability of this Act; and generally relating to notifying a parent, guardian, or other cosigner of a minor's driver's license application that a citation alleging a moving violation was issued to the minor.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–808
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 461 – Senators Middleton and Dyson

AN ACT concerning

Vehicle Laws – Use of Wireless Communication Devices by Young Drivers – Enforcement

FOR the purpose of repealing a provision of law that limits a police officer to enforcing a prohibition against a holder of a learner's instructional permit or provisional driver's license from using a wireless communication device while driving only as a secondary action when the police officer detains the driver on suspicion of violating another provision of law; and generally relating to the enforcement of laws prohibiting the use of wireless communication devices by drivers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 462 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Historic Laurel Mill Ruins

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Patuxent River Commission and the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 463 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

State Board of Morticians and Funeral Directors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Morticians and Funeral Directors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring that pre-need contracts contain a certain disclosure statement; requiring the Board to submit certain reports on or before certain dates; and generally relating to the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–316(a)(29), 7–405(c) and (h), and 7–602
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations

Section 7-405(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8-403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8-403(b)(40)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 464 – Senators Conway, Currie, Dyson, Exum, Forehand, Frosh, Gladden, Jones, Kelley, Madaleno, McFadden, Muse, Pinsky, Pugh, and Raskin

AN ACT concerning

Maryland Higher Education Commission – Unreasonable Duplication of Programs – Expansion of Existing Programs

FOR the purpose of requiring the Maryland Higher Education Commission to require certain governing boards of public institutions of postsecondary education to submit certain plans to resolve unreasonable duplication of programs that address the possibility of an expansion of an existing program under certain circumstances; requiring the Commission to provide certain institutions certain notification and requiring certain institutions to take certain steps if certain plans address the possibility of an expansion of an existing program under certain circumstances; authorizing the Commission to take certain steps to eliminate certain duplication if certain plans do not address the possibility of an expansion of an existing program under certain circumstances; requiring the Commission to explore the possibility of an expansion of an existing program under certain circumstances; and generally relating to the expansion of existing programs as a solution to unreasonable program duplication.

BY repealing and reenacting, with amendments,
Article – Education
Section 11-206 and 11-206.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #1
January 31, 2008

Court of Appeals

1. Joseph F. Murphy, Jr.

Judge of the Court of Appeals of Maryland; appointed to stand for election in the General Election of November, 2008

Correction, Commissioner of

2. J. Michael Stouffer
13733 Franks Run Road
Smithsburg, MD 21783

Commissioner of Correction; appointed to serve at the pleasure of the Secretary of the Department of Public Safety and Correctional Services

African American History and Culture, Commission on

3. Charles M. Christian, Ph.D.
113 Apt. A North Rock Glen Road
Baltimore, MD 21229

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2005

4. Cheryl J. LaRoche, Ph.D.
5333 Strathmore Avenue
Kensington, MD 20895

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2007

5. Theodore H. Mack
619 Woodsmans Way
Crownsville, MD 21032

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2007

Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland

6. Phyllis E. Kilby
795 Firetower Road
Colora, MD 21917

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Corporation; appointed to serve a term of four years from July 1, 2007

Agriculture, Board of Review of the Department of

7. Stephen T. Reeves
P.O. Box 797
Chaptico, MD 20621

Member of the Board of Review of the Department of Agriculture; appointed to serve remainder of a term to expire December 31, 2007

Airport Zoning Appeals Board

8. Laura L. Barrientos
1714 Sulgrave Avenue
Baltimore, MD 21209

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a four year term to expire June 30, 2008

9. John T. Hierholzer
10325 Wilde Lake Terrace
Columbia, MD 21044

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2006

10. Ronald W. Lane
503 45th Street
Baltimore, MD 21224

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a four year term to expire June 30, 2009

11. Douglas E. Moore
3714 Garand Road
Ellicott City, MD 21042

Member of the Airport Zoning Appeals Board; reappointed to serve remainder of a term of four years from July 1, 2006

Apprenticeship and Training Council

12. Christopher F. Kelly, Sr.
8431 Old Marlboro Pike, Suite 100
Upper Marlboro, MD 20772

Member of the Apprenticeship and Training Council; reappointed to serve remainder of a term of four years from July 1, 2006

13. James A. Williams, Sr.
803 Old County Road
Severna Park, MD 21146

Member of the Apprenticeship and Training Council; reappointed to serve remainder of a term of four years from July 1, 2006

Arts Council, Maryland State

14. Jon J. Lui, Ph.D
4401 Winding Oak Drive
Olney, MD 20832

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2006

15. William Mandicott
28 Beall's Lane
Frostburg, MD 21532

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2007

Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists, State Board of Examiners for

16. Arlinda Harris
2076 Lord Baltimore Drive
Baltimore, MD 21244

Member of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists; appointed to serve remainder of a term of four years from July 1, 2007

Automobile Insurance Fund, Board of Trustees of the Maryland

17. Damian C. O'Doherty, Esquire
508 West Joppa Road
Towson, MD 21204

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

18. Yolanda M. Welch
10370 Pot Spring Road
Lutherville, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

Aviation Commission, Maryland

19. Betty H. Francis, Esquire
12603 Spriggs Request Court
Mitchellville, MD 20721

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2007

Boiler Rules, Board of

20. Thomas E. Pickett
8812 Gladside Drive
Clinton, MD 20735

Member of the Board of Boiler Rules; appointed to serve remainder of a term of three years from January 1, 2005

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

21. Charles C. Cawley
24320 Willow Pond Road
Denton, MD 21629

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2006

22. Laurie R. Feinberg
3411 University Place
Baltimore, MD 21218

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2007

23. Norma J. Powers
P.O. Box 164
Dowell, MD 20629

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2003 and for a term of four years from July 1, 2007

24. Francis J. Russell
P.O. Box 134
Piney Point, MD 20674

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2003 and for a term of four years from July 1, 2007

Chiropractic Examiners, State Board of

25. Stephanie J. Chaney, D.C.
477 Penwood Drive
Edgewater, MD 21037

Member of the State Board of Chiropractic Examiners; appointed to serve a term of four years from July 1, 2007

Correctional Standards, Commission on

26. Sheree L. Sample-Hughes
28926 Jacqueline Drive
Salisbury, MD 21801

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2006

27. J. Michael Stouffer
13733 Franks Run Road
Smithsburg, MD 21783

Member of the Commission on Correctional Standards; appointed to serve remainder of a three year term to expire June 30, 2008

28. Jeffrey Washington
10503 Vista Grande Drive
Mitchellville, MD 20721

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2006

Correctional Training Commission

29. John Dixon
2809 Boston Street, #364
Baltimore, MD 21224

Member of the Correctional Training Commission; appointed to serve remainder of a three year term to expire June 30, 2008

Criminal Injuries Compensation Board

30. Karl N. Milligan, Jr.
302 Ackerman Road
Stevensville, MD 21666

Member of the Criminal Injuries Compensation Board; appointed to serve remainder of a term of five years from July 1, 2004

Economic Development Corporation Board of Directors, Maryland

31. Barbara G. Buehl
20020 Potomac Overlook
Oldtown, MD 21555

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a four year term to expire June 30, 2008

32. Martin G. Knott, Jr.
6306 Blenheim Road
Baltimore, MD 21212

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2007

33. David H. Michael
1922 Chaparrall Court
Crownsville, MD 21032

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2006

34. Leonard R. Sachs
3522 Englemeade Road
Baltimore, MD 21208

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2004

35. Dana B. Stebbins, Esquire
11818 Bishops Content
Mitchellville, MD 20721

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve remainder of a term of four years from July 1, 2007

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland

- S-1. W. David Thompson
3611 Miller Road
Street, MD 21154

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; reappointed to serve remainder of a term of four years from July 1, 2006

Arts Council, Maryland State

- S-2. E. Scott Johnson, Esquire
1115 South Linwood Avenue
Baltimore, MD 21224

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2007

S-3. Patricia L. Mote
One Presidential Drive
College Park, MD 20740

Member of the Maryland State Arts Council; reappointed to serve remainder of a term of three years from July 1, 2006

Aviation Commission, Maryland

S-4. Raymond C. Nichols, Sr.
1156 Woodlyn Road
Annapolis, MD 21401

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2007

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

S-5. Howard K. Anderson
12591 Big Monie Road
Princess Anne, MD 21853

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2007

Correctional Standards, Commission on

S-6. Maria T. Elmo, M.D.
5605 Greenspring Avenue
Baltimore, MD 21209

Member of the Commission on Correctional Standards; reappointed to serve remainder of a term of three years from July 1, 2007

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany County Board of Elections

- L-1. Richard L. DeVore, Jr.
P.O. Box 45
Ellerslie, MD 21529

Member of the Allegany County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

- L-2. JoAnn Spiker
14401 New Georges Creek Road, S.W.
Frostburg, MD 21532

Member of the Allegany County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

Anne Arundel County Board of Elections

- L-3. Jeremiah M. Brandt
8154 Forest Glen Drive
Pasadena, MD 21122

Member of the Anne Arundel County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

- L-4. Matthew W. Platt, Jr.
1362 Hollow Glen Court
Baltimore, MD 21226

Member of the Anne Arundel County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

Baltimore City Board of Elections

- L-5. Lawrence C. Cager, Jr.
3001 Granada Avenue
Baltimore, MD 21207

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-6. Barbara G. Logan
3317 Liberty Heights Avenue, Unit 202
Baltimore, MD 21215

Member of the Baltimore City Board of Elections; appointed to serve remainder of a term of four years from the first Monday in June, 2007

L-7. Frankie L. Powell
5123 Queensberry Avenue
Baltimore, MD 21215

Member of the Baltimore City Board of Elections; appointed to serve remainder of a term of four years from the first Monday in June, 2007

L-8. Kevin A. Slayton
5624 Anthony Avenue
Baltimore, MD 21206

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-9. Eleanor K. Wang
5405 Falls Road Terrace
Baltimore, MD 21210

Member of the Baltimore City Board of Elections; appointed to serve remainder of a term of four years from the first Monday in June, 2007

Baltimore County Board of Elections

L-10. Bruce N. Harris
7015 Plymouth Road
Baltimore, MD 21208

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-11. Karen L. Henley
7422 Greenback Road
Baltimore, MD 21220

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-12. Aaron Plymouth
8546 Stevenswood Road
Baltimore, MD 21244

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Calvert County Board of Elections

L-13. James C. Fisk
2921 Cedarwood Lane
Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-14. Alice J. Fowler
1105 Doris Drive
Owings, MD 20736

Member of the Calvert County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-15. Warren E. Prince
2630 Aspen Road
Port Republic, MD 20676

Member of the Calvert County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-16. John P. Toohey
P.O. Box 592
Solomons, MD 20688

Member of the Calvert County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-17. Donato M. Williams
2045 Jessica Lane
Prince Frederick, MD 20678

Member of the Calvert County Board of Elections; appointed to serve remainder of a term of four years from the first Monday in June, 2007

Caroline County Board of Elections

- L-18. Margret Ann Thompson
120 Edenton Lane
Denton, MD 21629

Member of the Caroline County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Carroll County Board of Elections

- L-19. Charles W. Foreman
1416 Littlestown Pike
Westminster, MD 21158

Member of the Carroll County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

- L-20. Pauline L. Kram
1309 Fridinger Mill Road
Westminster, MD 21157

Member of the Carroll County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

- L-21. Gail S. Riley
2243 Bachmans Valley Road
Manchester, MD 21102

Member of the Carroll County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Charles County Board of Elections

- L-22. Fern G. Brown
P.O. Box 293
White Plains, MD 20695

Member of the Charles County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-23. Gloria D. Hampton
1810 General Hampton's Place
Nanjemoy, MD 20662

Member of the Charles County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-24. Norman J. Saunders, Sr.
11955 Woodbury Road
Nanjemoy, MD 20662

Member of the Charles County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Dorchester County Board of Elections

L-25. William Edward Batson
5525 Finchville Reliance Road, P.O. Box 218
Hurlock, MD 21643-0218

Member of the Dorchester County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-26. Thomas M. Corkran
3409 Choptank Drive
East New Market, MD 21631

Member of the Dorchester County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-27. Deanna L. Mills
P.O. Box 102
Linkwood, MD 21835

Member of the Dorchester County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-28. Peggy E. Ruark
5828 Hudson Wharf Road
Cambridge, MD 21613

Member of the Dorchester County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-29. Jeanne H. Webster
2 Shady Drive
Cambridge, MD 21613

Member of the Dorchester County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Garrett County Board of Elections

L-30. Randall R. Glotfelty
187 Englewood Lane
Grantsville, MD 21536

Member of the Garrett County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-31. Charles P. Nolan
18 Hillcrest Drive
Deer Park, MD 21550

Member of the Garrett County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-32. Betty M. Pritt
470 Cherry Creek Lane
Oakland, MD 21550

Member of the Garrett County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Harford County Board of Elections

L-33. Kevin K. Keene, Esquire
1111 Glastonbury Way
Bel Air, MD 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-34. Edward D. Yoder
3520 Grier Nursery Road
Street, MD 21154

Member of the Harford County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

Howard County Board of Elections

L-35. Charles M. Coles, Jr.
1596 Daisy Road
Woodbine, MD 21797

Member of the Howard County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

L-36. Donna K. Thewes
9535 Cissell Avenue
Laurel, MD 20723

Member of the Howard County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Montgomery County Board of Elections

L-37. Jerold S. Garson
8308 Raymond Lane
Potomac, MD 20854

Member of the Montgomery County Board of Elections; appointed to serve remainder of a four year term to expire June 5, 2011

L-38. Nahid Khozeimeh, Sc.D.
7005 Millwood Road
Bethesda, MD 20812

Member of the Montgomery County Board of Elections; appointed to serve remainder of a four year term to expire June 5, 2011

L-39. John J. Sullivan, Esquire
5405 Greystone Street
Chevy Chase, MD 20815

Member of the Montgomery County Board of Elections; appointed to serve remainder of a four year term to expire June 5, 2011

Queen Anne's County Board of Elections

L-40. George J. Gould, Sr.
5800 Main Street
Queenstown, MD 21658

Member of the Queen Anne's County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-41. William A. Seth
99 Glendale Avenue
Centreville, MD 21617

Member of the Queen Anne's County Board of Elections; reappointed to serve a term of four years from the first Monday in June, 2007

L-42. Brenda R. Williams
421 Greenspring Road
Queenstown, MD 21658

Member of the Queen Anne's County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Worcester County Board of Elections

L-43. Anna L. Hudson
509-B Deighton Avenue
Snow Hill, MD 21863

Member of the Worcester County Board of Elections; appointed to serve a term of four years from the first Monday in June, 2007

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 1, 2008.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 58 - Chair, Judicial Proceedings Committee (By Request - Maryland Judicial Conference)

AN ACT concerning

District Court – Commissioners – Jurisdiction

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 91)

ADJOURNMENT

At 10:27 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 1, 2008.

**Annapolis, Maryland
Friday, February 1, 2008
11:00 A.M. Session**

The Senate met at 11:18 A.M.

Prayer by Pastor Tracy Davenport, Harundale Presbyterian Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 31, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 97)

INTRODUCTION OF BILLS

Senate Bill 465 – Senators Peters, Currie, DeGrange, Edwards, Kasemeyer, King, Kramer, McFadden, Pugh, Robey, Simonaire, Stoltzfus, and Zirkin

AN ACT concerning

Property Tax Assessment Appeals

FOR the purpose of altering a certain time limit for the Maryland Tax Court to hear and determine an appeal from a determination of a property tax assessment appeal board under certain circumstances; and generally relating to property tax assessment appeals.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–512(f)(1)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 14–512(f)(5)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 466 – Senators Peters, Currie, DeGrange, Kasemeyer, King, McFadden, Pugh, Robey, and Zirkin

AN ACT concerning

Property Tax Assessment Appeals – Due Date for Payment and Stay of Collection

FOR the purpose of extending the due date for the payment of certain property taxes without interest and penalties until final disposition of certain appeals of property tax assessments; providing that certain assessment appeals do not require the posting of a bond for certain purposes; providing for the application of this Act; and generally relating to certain property tax assessment appeals.

BY adding to

Article – Tax – Property
Section 10–102(e)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 14–514
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 467 – Senators Peters, Currie, DeGrange, Edwards, Kasemeyer, King, Kramer, McFadden, Pugh, Robey, Simonaire, Stoltzfus, and Zirkin

AN ACT concerning

Property Tax – Assessment Appeal Procedures

FOR the purpose of providing that for certain property tax appeals the supervisor of assessments has the burden to demonstrate that a certain value or classification in a notice of property assessment is correct; and generally relating to appeal procedures for property tax assessments.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–509 and 14–512
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 468 – Senator Stoltzfus

AN ACT concerning

Somerset County – Property Tax Credit for Assessment Increases

FOR the purpose of requiring the governing body of Somerset County to grant a credit against the county property tax imposed on certain real property under certain circumstances; providing that the credit does not apply under certain circumstances; providing for the calculation of the credit based on certain assessment increases over a certain amount; requiring the State Department of Assessments and Taxation to provide certain notice of a possible tax credit and calculate the taxable assessment on which the credit is authorized; requiring that the tax credit be included on a property owner's property tax bill; requiring the Department to adopt certain regulations; defining certain terms; providing for the application and termination of this Act; and generally relating to a property tax credit in Somerset County for certain assessment increases for certain qualifying real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–321
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 469 – Senator Della

AN ACT concerning

**Health Insurance – Special Services, Procedures, or Reports –
Reimbursement**

FOR the purpose of prohibiting certain carriers from denying reimbursement for or bundling into another procedure code certain services, procedures, or reports under certain circumstances; requiring certain carriers to pay certain claims in accordance with certain provisions of law; providing that certain provisions of

law are applicable to health maintenance organizations; defining certain terms; and generally relating to reimbursement for services, procedures, or reports by health insurance carriers.

BY adding to

Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Insurance
Section 15–1009.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 470 – Senator Della

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City
Article II – General Powers
Section (55)
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Finance.

Senate Bill 471 – Senator Garagiola

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –
Woodstock Equestrian Park**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to change the name of a certain grantee from the Board of Trustees of the Montgomery County Parks Foundation, Inc. to the Maryland–National Capital Park and Planning Commission; and generally relating to Woodstock Equestrian Park.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item KA05(A)(4) and ZA02(BI)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 472 – Senator Garagiola

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County –
Agricultural Activity Center Expansion**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the deadline by which the County Executive and County Council of Montgomery County may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01(AZ)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 473 – Senators Garagiola, Forehand, Lenett, Madaleno, Pinsky,
Pugh, and Robey**

AN ACT concerning

**Public Schools – Youth Risk Behavior Surveillance System – Passive
Parental Consent**

FOR the purpose of requiring the State Department of Education to require local school systems to utilize passive parental consent before administering a certain survey; requiring local school systems to provide parents with certain statements and forms; and generally relating to the administration of the Centers for Disease Control and Prevention Youth Risk Behavior Surveillance System survey in the public schools of the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–420
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 474 – Senators Garagiola, Raskin, Colburn, King, Lenett, and Madaleno

AN ACT concerning

Motor Fuel Tax – Exemptions for Biodiesel – Government Vehicles

FOR the purpose of exempting certain biodiesel fuel purchased for use in certain government vehicles from certain percentages of the State motor fuel tax in certain fiscal years; requiring the Comptroller to adopt certain regulations; and generally relating to motor fuel tax exemptions for biodiesel fuel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–303
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 475 – Senators Madaleno, Conway, Forehand, Frosh, Garagiola, King, Kramer, Lenett, McFadden, Miller, Pugh, Raskin, and Rosapepe

AN ACT concerning

Commission to Study the Impact of Immigrants in Maryland

FOR the purpose of establishing a Commission to Study the Impact of Immigrants in Maryland; providing for the membership and duties of the Commission; requiring that certain members appointed to the Commission reflect certain diversity of this State; providing for the designation of a chair of the Commission; requiring the University of Maryland, College Park to provide staff for the Commission; prohibiting members of the Commission from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Commission to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;

and generally relating to a Commission to Study the Impact of Immigrants in Maryland.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 476 – Senator Madaleno

AN ACT concerning

Department of Budget and Management – Health and Welfare Benefits Program – Information from and Liability of Health Insurance Carriers

FOR the purpose of requiring certain health insurance carriers to provide certain information in a certain manner to the Department of Budget and Management, at the request of the Department, about individuals who are eligible for benefits under the State Employee and Retiree Health and Welfare Benefits Program or are Program recipients; requiring certain health insurance carriers to accept the Program's right of recovery and the assignment to the Program of certain rights under certain circumstances; prohibiting certain health insurance carriers from denying or otherwise affecting a health insurance policy or contract due to the eligibility of an individual for Program benefits or receipt by an individual of benefits under the Program; defining a certain term; and generally relating to health insurance carriers and the State Employee and Retiree Health and Welfare Benefits Program.

BY adding to

Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 2–517
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 477 – Senator Madaleno

AN ACT concerning

State Government – Dandy-Walker Syndrome and Hydrocephalus Awareness Month

FOR the purpose of requiring the Governor to proclaim the month of May to be “Dandy–Walker Syndrome and Hydrocephalus Awareness Month”.

BY adding to

Article – State Government

Section 13–503

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 478 – Senator Madaleno

AN ACT concerning

Property Tax – Tax Sales

FOR the purpose of altering a provision allowing a property tax collector to withhold property from a tax sale when the total taxes on the property amount to less than a certain amount; including Montgomery County within a provision of law limiting the right of certain persons to be reimbursed for certain expenses relating to the foreclosure of a right of redemption within a specified period following a tax sale; providing for the application of this Act; and generally relating to tax sales.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–811 and 14–843(b)

Annotated Code of Maryland

(2007 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 14–843(a)

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 479 – Senator Della

EMERGENCY BILL

AN ACT concerning

**Electric Companies – Assessment Resulting From Default of Payments From
Financial Speculation**

FOR the purpose of authorizing an electric company to pay a certain sum from its corporate earnings, but prohibiting the electric company from recovering the sum from its customers under certain circumstances; making this Act an emergency measure; and generally relating to the payment of certain money by an electric company in Maryland.

BY adding to

Article – Public Utility Companies
Section 7–106
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 480 – Senators DeGrange, Jones, King, Madaleno, McFadden, and
Munson**

AN ACT concerning

Correctional Officers' Retirement System – Membership

FOR the purpose of altering the membership of the Correctional Officers' Retirement System; providing that certain members of the Correctional Officers' Retirement System may receive a normal service retirement or a deferred vested retirement allowance under certain circumstances; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers' Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Correctional Officers' Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 481 – Senators DeGrange, Astle, Currie, Dyson, Jones,
Klausmeier, Kramer, McFadden, Munson, Peters, Robey, and Zirkin**

AN ACT concerning

**Disabled Law Enforcement Officers and Rescue Workers – Property Tax
Credit**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant a certain property tax credit for certain residential real property owned by certain disabled law enforcement officers and rescue workers; defining a certain term; altering a certain definition; providing for the application of this Act; and generally relating to a property tax credit for certain residential real property owned by certain disabled law enforcement officers and rescue workers.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–210
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 482 – Senator Glassman

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Real
Estate Appraisers – Licensure**

FOR the purpose of expanding the definition of the practice of providing real estate appraisal services to include all appraisals; specifying that providing real estate appraisal services includes certain appraisals made as part of certain employment; requiring certain applicants to meet certain requirements under certain circumstances; providing for a delayed effective date; and generally relating to the licensure of real estate appraisers.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 16–101(o), 16–302, and 16–503
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 483 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

Creation of State Debt – Howard County – Robinson Nature Center

Ho. Co. 01-08

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 484 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

**Creation of a State Debt – Howard County – North Laurel Community Center
Ho. Co. 02-08**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 485 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

**Creation of a State Debt – Howard County – Blandair Regional Park
Ho. Co. 03-08**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 486 – Senators Klausmeier, Garagiola, and Glassman

AN ACT concerning

State Lottery – Lottery for Benefit of Thoroughbred and Standardbred Breeders

FOR the purpose of requiring the State Lottery Agency to conduct in each fiscal year a certain number of horse racing lottery games for the benefit of the Maryland Thoroughbred Breeders Fund and the Maryland Standardbred Breeders Fund; requiring that certain advertising and tickets be identified in a certain way; requiring that the proceeds from the games be distributed in a certain way; providing for the termination of this Act; and generally relating to State lottery games for the benefit of the Maryland Thoroughbred Breeders Fund and the Maryland Standardbred Breeders Fund.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Government

Section 9–120.2

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 487 – Senator McFadden (Chair, Joint Committee on Pensions) and Senators Currie, Kasemeyer, Kramer, Munson, and Robey

AN ACT concerning

Teachers' Pension System – Ineligible Positions – Transferring Membership

FOR the purpose of requiring certain members of the Teachers' Pension System to transfer to the Employees' Pension System under certain circumstances; allowing certain members of the Teachers' Pension System the choice of whether to transfer to the Employees' Pension System or a local pension system; requiring certain members of the Teachers' Pension System to make certain choices at a certain time; requiring certain employers of certain members of the

Teachers' Pension System to make certain contributions to the Board of Trustees of the State Retirement and Pension System on behalf of the members; clarifying that certain provisions of law apply to certain transfers of certain members of the Teachers' Pension System to a local pension system; providing for the application of this Act; and generally relating to members of the Teachers' Pension System who are promoted or transferred to positions that are not eligible for participation in the Teachers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–202.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 488 – Senator McFadden (Chair, Joint Committee on Pensions)
and Senators Currie, Kasemeyer, Kramer, Munson, and Robey**

AN ACT concerning

State Police Retirement System – Survivor Benefits

FOR the purpose of altering the survivor benefit for certain beneficiaries of certain retirees of the State Police Retirement System; repealing a supplemental survivor benefit for certain beneficiaries of certain retirees of the State Police Retirement System; and generally relating to survivor benefits for beneficiaries of retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–403
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 24–404
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 489 – Senator Pinsky

AN ACT concerning

State Board of Physical Therapy Examiners – Temporary License – Repeal

FOR the purpose of repealing the provisions related to the issuance, eligibility requirements, term, renewal, and surrender of a certain temporary license to practice physical therapy or limited physical therapy; repealing a certain definition of a certain term; making certain technical changes; and generally relating to a temporary license and the State Board of Physical Therapy Examiners.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 13–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing
Article – Health Occupations
Section 13–101(k) and 13–313
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–315, 13–316, 13–317(a), 13–318, 13–318.1(a), and 13–407.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY renumbering
Article – Health Occupations
Section 13–314 through 13–316.1, respectively
to be Section 13–313 through 13–316, respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 490 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Dayspring Facility

FOR the purpose of authorizing the creation of a State Debt in the amount of \$400,000, the proceeds to be used as a grant to the Board of Directors of Dayspring, Inc. for certain development or improvement purposes, providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 491 – Senator Gladden

AN ACT concerning

Task Force to Study the Establishment of Periodic Motor Vehicle Safety Inspections

FOR the purpose of creating the Task Force to Study the Establishment of Periodic Motor Vehicle Safety Inspections; providing for the membership of the Task Force; requiring the Task Force to select a chair from among its members; requiring the Motor Vehicle Administration to staff the Task Force; requiring the Task Force to make certain findings and recommendations related to the establishment of a certain motor vehicle safety inspection requirement; providing for reimbursement for the expenses of a member of the Task Force; providing that certain provisions of the Maryland Public Ethics Law do not apply under certain circumstances to certain regulated lobbyists who serve on the Task Force; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Establishment of Periodic Motor Vehicle Safety Inspections.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 492 – Senators Frosh, Forehand, King, Madaleno, and Pinsky

AN ACT concerning

Vehicular Crossings – Use by Pedestrians and Bicycles – Authorization

FOR the purpose of authorizing the use of certain vehicular crossings under the jurisdiction of the Maryland Transportation Authority by pedestrians and bicycles when authorized by the Chairman of the Maryland Transportation Authority; and generally relating to the use of vehicular crossings.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1401
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21-1405
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 493 – Senator Frosh

AN ACT concerning

Lawyers – Payment of Taxes and Unemployment Insurance Contributions

FOR the purpose of repealing a requirement that the Client Protection Fund verify that a lawyer has paid or provided for payment of all undisputed taxes and unemployment insurance contributions before accepting a certain annual fee from the lawyer; requiring the Fund to provide a certain list of lawyers to the Comptroller; authorizing the Comptroller to take certain action if the Comptroller determines that a lawyer has not paid certain taxes and unemployment insurance contributions and the lawyer does not make payment or provide for payment in a certain manner within a certain time after receiving notice from the Comptroller; and generally relating to verifying that certain lawyers have paid or provided for payment of all undisputed taxes and unemployment insurance contributions.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10-313
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 494 – Senator Conway

AN ACT concerning

**Business Regulation – Returnable Containers – Purchases of
Plastic Milk Crates**

FOR the purpose of requiring certain persons that purchase certain plastic milk crates to make a certain record of each transaction in which a person sells a certain number of plastic milk crates; requiring certain purchasers to verify the identity of certain sellers in a certain manner; requiring certain purchasers to keep

certain records of certain transactions; requiring certain records to be kept for a certain period of time; providing that a person that violates this Act is guilty of a misdemeanor and subject to a certain fine; defining a certain term; and generally relating to purchases of milk crates.

BY adding to

Article – Business Regulation

Section 19–308

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 495 – Senators Haines, Brinkley, Colburn, Dyson, Edwards, Middleton, and Stoltzfus

AN ACT concerning

Homestead Property Tax Credit – Farm or Agricultural Use Land

FOR the purpose of altering the definition of a dwelling that qualifies for the homestead property tax credit to include certain homes that are located on certain parcels of land that are recognized by the Department of Assessments and Taxation to be actively used for farm or agricultural purposes; providing that a homeowner may continue to be eligible for the homestead property tax credit under certain circumstances; providing that a dwelling must be occupied by a certain day to qualify for the homestead property tax credit; providing that a homeowner may claim a homestead property tax credit for two dwellings under certain circumstances; and generally relating to the homestead property tax credit for dwellings located on land used for farm or agricultural purposes.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–105(a)(2), (c)(2) and (3), and (d)(2) and (3)

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 496 – Senator Della

AN ACT concerning

**Baltimore City – Alcoholic Beverages Licenses – Restaurants in Business
Planned Unit Development**

FOR the purpose of authorizing the Board of Liquor License Commissioners of Baltimore City to issue a certain number of Class B beer, wine and liquor restaurant licenses in a business planned unit development in a specified area in Baltimore City; requiring the restaurants to have a certain minimum capital investment, seating capacity range, and average daily receipts from the sale of food that are at least a certain percentage of the total daily receipts of the restaurant; prohibiting sales for off-premises consumption; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–204.1(c)(1)(iii) and (2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 497 – Senator Conway

AN ACT concerning

Maryland Sales Below Cost of Fluid Milk Products Act

FOR the purpose of prohibiting certain milk dealers from selling or offering to sell certain fluid milk products to certain entities in the State at less than a certain cost; prohibiting certain milk dealers from selling certain fluid milk products in combination with certain other items under certain circumstances; providing for the calculation of certain costs of certain fluid milk products in a certain manner; requiring certain milk dealers to present certain costs to the Secretary of Agriculture for certification in a certain manner; requiring the Secretary to consider certain information as confidential under certain circumstances; requiring the Secretary to enforce this Act in a certain manner; requiring the Secretary to adopt certain regulations; authorizing a circuit court to enjoin a certain milk dealer from certain acts in a certain manner; providing for the intent and applicability of this Act; providing that the Maryland Sales Below Cost Act does not apply to this Act; defining certain terms; and generally relating to sales of fluid milk products in the State.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–402
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Commercial Law

Section 11–1501 through 11–1506 to be under the new subtitle “Subtitle 15.
Sales Below Cost of Fluid Milk Products”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 498 – Senators Kramer, DeGrange, Forehand, Garagiola, Glassman, Haines, Jacobs, Jones, King, Klausmeier, Madaleno, Middleton, Mooney, Muse, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Missing Senior Adult Alert Program – Establishment

FOR the purpose of requiring the State Police to develop policies and procedures for the creation of a certain alert program to assist in locating certain missing adults who are over a certain age and suffer certain cognitive impairments; requiring the State Police to inform local law enforcement agencies of the policies and procedures to be used in handling reports of certain missing senior adults; requiring the State Police to assist in determining the geographic scope of a certain alert for certain missing senior adults; requiring the State Police to establish procedures and standards by which a local law enforcement agency shall verify that a certain individual is missing and report that information to the State Police; requiring the State Police to provide assistance to a local law enforcement agency as necessary to assist in the safe recovery of certain missing individuals; requiring a certain person to notify a certain local law enforcement agency and the State Police regarding certain information under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to the establishment of a missing senior adult alert program.

BY adding to

Article – Public Safety

Section 3–604

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 499 – Senators Kramer, Dyson, Forehand, Haines, Jacobs, Jones, Kasemeyer, King, Madaleno, Pugh, Rosapepe, and Stone

AN ACT concerning

Task Force to Study Offshore Wind Farms

FOR the purpose of establishing a Task Force to Study Offshore Wind Farms; establishing the membership of the Task Force; providing for the designation of a chair of the Task Force; providing for staff for the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing certain reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding certain issues; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Offshore Wind Farms.

BY adding to

Article – State Government

Section 9–2009

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 500 – Senators Kramer, DeGrange, Forehand, Garagiola, Glassman, Haines, Jacobs, Jones, King, Klausmeier, Madaleno, Middleton, Mooney, Muse, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Crimes – Financial Exploitation of Elderly – Penalty

FOR the purpose of prohibiting a person from knowingly and willfully obtaining by deception, intimidation, or undue influence the property of an individual of at least a certain age, regardless of whether the person knows or reasonably should know the individual's age, with intent to deprive the individual of the individual's property; applying certain penalties; and generally relating to the financial exploitation of the elderly.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–801

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 501 – Senators Kramer, DeGrange, Forehand, Garagiola, Glassman, Haines, Jacobs, Jones, King, Madaleno, Middleton, Mooney, Muse, Pugh, Rosapepe, and Stone

AN ACT concerning

Criminal Law – Crimes Against the Elderly or Persons with a Disability – Penalties

FOR the purpose of prohibiting a person from committing certain offenses against a person who is at least a certain age or a person with a certain disability; establishing a certain penalty; providing that a conviction under this Act does not merge with a conviction for a certain underlying offense; providing that a sentence imposed for a violation of this Act is to be consecutive to and not concurrent with any other sentence imposed for certain crimes; and generally relating to crimes against the elderly or persons with a disability.

BY adding to

Article – Criminal Law

Section 10–801 to be under the new subtitle “Subtitle 8. Crimes Against the Elderly or Persons with a Disability”

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 502 – Chair, Education, Health, and Environmental Affairs Committee

AN ACT concerning

State Board of Professional Counselors and Therapists – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Professional Counselors and Therapists in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; increasing the number of members on the State Board of Professional Counselors and Therapists; requiring a certain number of members to be professional counselors, marriage and family therapists, and alcohol and drug counselors; repealing a requirement that certain licensed professional counselor board members be employed in certain areas; repealing the position of drug and alcohol counselor advisor to the Board; requiring a marriage and family therapist or an alcohol and drug counselor board member to vote before certain action is taken against certain professional counselors; prohibiting certain individuals from practicing clinical alcohol and drug counseling, marriage and family therapy, or professional counseling unless they are licensed by the Board; providing for certain exemptions from licensing requirements; establishing certain qualifications for the licensure of clinical alcohol and drug

counselors, clinical marriage and family therapists, and clinical professional counselors; establishing certain requirements for applications for licensure, certification, and examination of applicants; authorizing the Board to waive certain requirements for licensure or certification under certain circumstances; establishing procedures for the issuance of licenses and certificates; requiring licenses and certificates to include certain information; authorizing the Board to replace certain licenses or certificates under certain circumstances; providing for the scope of certain licenses and certificates; providing for the terms and renewal of certain licenses and certificates; requiring the Board to place certain licensees or certificate holders on inactive status under certain circumstances; prohibiting the Board from placing certain certificates on inactive status; authorizing the Board to reinstate certain licenses or certain certificates under certain circumstances; prohibiting the reinstatement of certain certificates; authorizing the Board to adopt certain regulations to allow certain individuals to practice under supervision as licensed graduate alcohol and drug counselors, marriage and family therapists, and professional counselors; establishing qualifications for licensed graduate alcohol and drug counselors, marriage and family therapists, and professional counselors; prohibiting the practice of licensed graduate professional counseling unless approved by the Board; requiring certain licensees and certificate holders to display a certain license or certificate in a certain manner; requiring certain licensees or certificate holders to furnish a certain professional disclosure statement that includes certain information; prohibiting the surrender of a certain license under certain circumstances and providing for a certain exception; authorizing the Board to deny, probate, reprimand, suspend, or revoke the license, certificate, or application of certain licensees, certificate holders, or applicants if an individual violates certain disciplinary grounds; establishing certain civil penalties under certain circumstances; requiring the Board to adopt certain regulations concerning the imposition of certain penalties; requiring the Board to pay certain money collected into the General Fund of the State; establishing certain hearing and appeal procedures; authorizing the Board to enjoin certain actions; authorizing the Board to reinstate a certain license or certificate, reduce a certain suspension or probation, or withdraw a reprimand under certain circumstances; establishing a counselor and therapist rehabilitation committee; establishing the purpose, function, and duties of the counselor and therapist rehabilitation committee; providing that certain committee records are not discoverable in certain proceedings; establishing civil immunity for members of the committee for actions taken within the scope of the committee's jurisdiction; requiring certain individuals to be certified before practicing alcohol and drug counseling, marriage and family therapy, and professional counseling, using certain titles, or representing certain certification; establishing qualifications for certification as a certified professional counselor–alcohol and drug, certified associate counselor–alcohol and drug, and certified supervised counselor–alcohol and drug; authorizing certain individuals to practice clinical alcohol and drug counseling, clinical marriage and family therapy, or clinical professional counseling without a license or to practice alcohol and drug counseling, marriage and family therapy, or professional counseling without a

certificate for a certain amount of time under certain circumstances as a trainee; prohibiting certain unlicensed individuals from making certain representations to the public and using certain titles or words with the intent to represent that the individual practices clinical counseling or therapy or licensed graduate counseling or therapy; prohibiting certain uncertified individuals from making certain representations to the public and using certain titles or words with the intent to represent that the individual practices certain counseling or therapy; establishing certain penalties; establishing a certain short title; requiring the Board to waive certain requirements for certification as alcohol and drug counselors for certain individuals who have certain qualifications; requiring certain individuals applying for certification as alcohol and drug counselors under a certain waiver to apply for certification by a certain date; providing for the termination of the term of a member of the Board; providing for the appointment of certain members of the Board to serve certain terms until certain successors are appointed; providing that the term of a certain Board advisor terminate on a certain date; requiring the Board to submit a certain interim report including certain information to certain committees of the General Assembly on or before a certain date; defining certain terms; making certain technical changes; providing for the termination of certain provisions of this Act; and generally relating to the State Board of Professional Counselors and Therapists and the licensing and certification of counselors and therapists.

BY repealing

Article – Health Occupations

Section 17–301 through 17–317 and the subtitle “Subtitle 3. Certification”;
17–3A–01 through 17–3A–13 and the subtitle “Subtitle 3A. Licensing”;
17–401 and 17–402 and the subtitle “Subtitle 4. Prohibited Acts;
Penalties”; and 17–501 and 17–502 and the subtitle “Subtitle 5. Short
Title; Termination of Title”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–101, 17–102, 17–202, and 17–205

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 17–103, 17–201, 17–203, 17–204, and 17–206

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing

Article – Health Occupations

Section 17–104

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health Occupations

Section 17–301 through 17–309 to be under the new subtitle “Subtitle 3. Licensing”; 17–401 through 17–405.1 and 17–406 to be under the new subtitle “Subtitle 4. Certification”; 17–501 through 17–515 to be under the new subtitle “Subtitle 5. General Provisions; Disciplinary Actions”; 17–601 through 17–604 to be under the new subtitle “Subtitle 6. Prohibited Acts; Penalties”; and 17–701 and 17–702 to be under the new subtitle “Subtitle 7. Short Title; Termination of Title”

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(16)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 503 – Senators Brinkley, Colburn, Dyson, Edwards, Glassman, Haines, Jacobs, Kittleman, Kramer, Middleton, Munson, and Stoltzfus

AN ACT concerning

Agriculture – Maryland Dairy Farmer Emergency Trust Fund

FOR the purpose of establishing the Maryland Dairy Farmer Emergency Trust Fund; establishing the purpose and uses of the Fund; requiring the Secretary of Agriculture to administer the Fund and establish certain procedures; requiring that certain unspent or unencumbered funds, in excess of a certain amount, revert to the General Fund of the State; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; designating the moneys to be deposited into the Fund; requiring the Governor to appropriate to the Fund a certain amount each fiscal year; and generally relating to the Maryland Dairy Farmer Emergency Trust Fund.

BY adding to

Article – Agriculture

Section 2–1301 to be under the new subtitle “Subtitle 13. Maryland Dairy
Farmer Emergency Trust Fund”

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

**Senate Bill 504 – Senators Brinkley, Currie, Glassman, Haines, Jacobs, King,
Kittleman, Kramer, Middleton, Munson, Robey, Stoltzfus, and Stone**

AN ACT concerning

Criminal Law – Theft of Rental Property

FOR the purpose of prohibiting a person from hiring or leasing personal property or equipment from another person who is in lawful possession of the personal property or equipment with intent to defraud that person of the rental due under the rental agreement; prohibiting a person from abandoning or willfully refusing to redeliver personal property as required under a rental agreement without the consent of the lessor or the lessor’s agent with intent to defraud the lessor or the lessor’s agent; establishing penalties for a violation of this Act; making technical corrections; and generally relating to theft of rental property.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 7–104

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 505 – Senators Brinkley, Colburn, Greenip, Jacobs, Kittleman,
Kramer, Munson, Pipkin, and Stoltzfus**

AN ACT concerning

Sales and Use Tax – Computer Services – Resale Exemption

FOR the purpose of altering the definition of “retail sale” under the sales and use tax to exclude the sale of a computer service under certain circumstances; providing for the termination of this Act; and generally relating to the sales and use taxation of certain computer services.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 11–101(c–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(h)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 506 – Senators Rosapepe, Colburn, Kelley, Lenett, and Madaleno

AN ACT concerning

Task Force on the Preservation of Heritage Language Skills in Maryland

FOR the purpose of establishing a Task Force on the Preservation of Language Skills in Maryland; providing for the membership and duties of the Task Force; requiring the election of a chair of the Task Force; requiring the State Department of Education to provide staff for the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; requiring the Task Force to continue to advise the Governor and the General Assembly on certain matters until a certain time; and generally relating to the Task Force on the Preservation of Heritage Language Skills in Maryland.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 507 – Senator Rosapepe

AN ACT concerning

State Aid for Police Protection – Grants

FOR the purpose of requiring a certain grant for police protection to be paid from the State to each municipality that contains a certain institution of higher education with a certain undergraduate enrollment; requiring a certain municipality to provide a certain matching fund for a grant received under this

Act; and generally relating to grants from the State Aid for Police Protection Fund.

BY adding to

Article 41 – Governor – Executive and Administrative Departments
Section 4-403(b-1)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 508 – Senator Stone

AN ACT concerning

Environment – Permit Process – Modifications

FOR the purpose of requiring the Department of the Environment to provide an opportunity for a contested case hearing under certain circumstances; altering certain public hearing and notice requirements; establishing an Environmental Leadership Group within the Department for a certain purpose; establishing the membership of the Group; providing the Secretary with the discretion to determine the term of membership, meeting dates and locations, and certain issues to be considered by the Group; requiring an applicant for a certain permit to prepare and submit an environmental impact statement to the Department; requiring the environmental impact statement to be prepared, submitted, and approved in accordance with certain regulations; and generally relating to the Department of the Environment and the permit process.

BY repealing and reenacting, with amendments,

Article – Environment
Section 1-601, 1-602, and 2-404
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY adding to

Article – Environment
Section 1-608
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 509 – Senator Middleton

AN ACT concerning

Maryland Estate Tax – Exclusion for Qualified Agricultural Property

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; defining certain terms; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 510 – Senator Middleton

AN ACT concerning

Mile Thoroughbred Racing – Racing Days – Additional License

FOR the purpose of authorizing the Racing Commission to issue an additional mile thoroughbred racing license to a certain person and to award the person with a certain number of racing days under certain conditions; and generally relating to mile thoroughbred racing.

BY renumbering
Article – Business Regulation
Section 11–511(c)
to be Section 11–511(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Business Regulation
Section 11–511(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 511 – Senators Middleton and Conway

AN ACT concerning

Health Occupations – Dental Hygiene Students – Exception From Licensure Requirements While Participating in Approved Educational Program

FOR the purpose of providing that a certain licensure requirement does not apply to certain students of dental hygiene while engaged in certain approved educational programs in dental hygiene; and generally relating to an exception from licensure requirements for dental hygiene students.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–301
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 512 – Senators Jones, Astle, Exum, Gladden, McFadden, Muse, and Pinsky

AN ACT concerning

Real Property – Retaliatory Action by Landlords and Mobile Home Park Owners

FOR the purpose of repealing certain provisions of law prohibiting a retaliatory eviction of a tenant or resident by a landlord or mobile home park owner; prohibiting a landlord or park owner from taking retaliatory action against a tenant or resident because the tenant or resident engaged in certain protected activities; providing for a certain standard of proof for determining whether an action qualifies as a retaliatory action; providing for a certain rebuttable presumption that an action is a retaliatory action under certain circumstances; authorizing a tenant or resident to bring an action or counterclaim for damages against a landlord or park owner under certain circumstances; providing that a landlord or park owner's retaliatory action is a defense to an action for possession; authorizing a court to invalidate a landlord's or park owner's action under certain circumstances; authorizing a court to enter judgment for costs and reasonable attorney's fees against a landlord, park owner, tenant, or resident under certain circumstances; prohibiting this Act from being construed to alter a landlord's, park owner's, tenant's, or resident's rights arising from a

breach of a provision of the lease; providing that this Act preempts or prevails over any ordinance, resolution, law, or rule, unless the ordinance, resolution, law, or rule provides greater protection to the tenant or resident; defining certain terms; and generally relating to retaliatory action against a tenant of leased property or a resident of a mobile home park by a landlord or park owner.

BY repealing

Article – Real Property
Section 8–208.1 and 8A–1301
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property
Section 8–208.1 and 8A–1301
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 513 – Senators McFadden, Forehand, Garagiola, Jones, King, Lenett, Madaleno, Muse, Pinsky, Raskin, Robey, and Rosapepe

AN ACT concerning

Cigarette Restitution Fund – Tobacco Prevention – Funding

FOR the purpose of altering the amount the Governor is required to include in the annual budget for certain fiscal years for certain activities aimed at reducing tobacco use; requiring that certain tobacco tax revenues be distributed to the Cigarette Restitution Fund for certain purposes; requiring certain revenues to be appropriated for certain activities aimed at reducing tobacco use; altering the tobacco tax rate for certain tobacco products; and generally relating to the Cigarette Restitution Fund and funding for tobacco prevention.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 13–1015
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 7–317
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Tax – General
Section 2–1602.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1603
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 12–105(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 514 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Law Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Law Examiners in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; increasing the maximum Bar examination fee that the Court of Appeals may impose on an applicant; requiring the Court of Appeals to implement the initial increase of certain fees in a certain manner; requiring the Court of Appeals to report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Law Examiners.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 10–208 and 10–218
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(38)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON FINANCE REPORT #4

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 178 – Chair, Finance Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

Public Safety – Emergency Number Systems Board – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

COMMITTEE ON EXECUTIVE NOMINATIONS REPORT # 1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chair

**Senate Executive Nominations Committee
Report #1
January 31, 2008**

Court of Appeals

1. Joseph F. Murphy, Jr.

Judge of the Court of Appeals of Maryland; appointed to stand for election in the General Election of November, 2008

Correction, Commissioner of

2. J. Michael Stouffer
13733 Franks Run Road
Smithsburg, MD 21783

Commissioner of Correction; appointed to serve at the pleasure of the Secretary of the Department of Public Safety and Correctional Services

African American History and Culture, Commission on

3. Charles M. Christian, Ph.D.
113 Apt. A North Rock Glen Road
Baltimore, MD 21229

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2005

4. Cheryl J. LaRoche, Ph.D.
5333 Strathmore Avenue
Kensington, MD 20895

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2007

5. Theodore H. Mack
619 Woodsmans Way
Crownsville, MD 21032

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2007

Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland

6. Phyllis E. Kilby
795 Firetower Road
Colora, MD 21917

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Corporation; appointed to serve a term of four years from July 1, 2007

Agriculture, Board of Review of the Department of

7. Stephen T. Reeves
P.O. Box 797
Chaptico, MD 20621

Member of the Board of Review of the Department of Agriculture; appointed to serve remainder of a term to expire December 31, 2007

Airport Zoning Appeals Board

8. Laura L. Barrientos
1714 Sulgrave Avenue
Baltimore, MD 21209

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a four year term to expire June 30, 2008

9. John T. Hierholzer
10325 Wilde Lake Terrace
Columbia, MD 21044

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2006

10. Ronald W. Lane
503 45th Street
Baltimore, MD 21224

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a four year term to expire June 30, 2009

11. Douglas E. Moore
3714 Garand Road
Ellicott City, MD 21042

Member of the Airport Zoning Appeals Board; reappointed to serve remainder of a term of four years from July 1, 2006

Apprenticeship and Training Council

12. Christopher F. Kelly, Sr.
8431 Old Marlboro Pike, Suite 100
Upper Marlboro, MD 20772

Member of the Apprenticeship and Training Council; reappointed to serve remainder of a term of four years from July 1, 2006

13. James A. Williams, Sr.
803 Old County Road
Severna Park, MD 21146

Member of the Apprenticeship and Training Council; reappointed to serve remainder of a term of four years from July 1, 2006

Arts Council, Maryland State

14. Jon J. Lui, Ph.D.
4401 Winding Oak Drive
Olney, MD 20832

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2006

15. William Mandicott
28 Beall's Lane
Frostburg, MD 21532

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2007

**Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists,
State Board of Examiners for**

16. Arlinda Harris
2076 Lord Baltimore Drive
Baltimore, MD 21244

Member of the State Board of Examiners for Audiologists, Hearing Aid Dispensers and Speech-Language Pathologists; appointed to serve remainder of a term of four years from July 1, 2007

Automobile Insurance Fund, Board of Trustees of the Maryland

17. Damian C. O'Doherty, Esquire
508 West Joppa Road
Towson, MD 21204

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

18. Yolanda M. Welch
10370 Pot Spring Road
Lutherville, MD 21093

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

Aviation Commission, Maryland

19. Betty H. Francis, Esquire
12603 Spriggs Request Court
Mitchellville, MD 20721

Member of the Maryland Aviation Commission; appointed to serve a term of three years from October 1, 2007

Boiler Rules, Board of

20. Thomas E. Pickett
8812 Gladside Drive
Clinton, MD 20735

Member of the Board of Boiler Rules; appointed to serve remainder of a term of three years from January 1, 2005

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

21. Charles C. Cawley
24320 Willow Pond Road
Denton, MD 21629

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2006

22. Laurie R. Feinberg
3411 University Place
Baltimore, MD 21218

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2007

23. Norma J. Powers
P.O. Box 164
Dowell, MD 20629

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2003 and for a term of four years from July 1, 2007

24. Francis J. Russell
P.O. Box 134
Piney Point, MD 20674

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve remainder of a term of four years from July 1, 2003 and for a term of four years from July 1, 2007

Chiropractic Examiners, State Board of

25. Stephanie J. Chaney, D.C.
477 Penwood Drive
Edgewater, MD 21037

Member of the State Board of Chiropractic Examiners; appointed to serve a term of four years from July 1, 2007

Correctional Standards, Commission on

26. Sheree L. Sample-Hughes
28926 Jacqueline Drive
Salisbury, MD 21801

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2006

27. J. Michael Stouffer
13733 Franks Run Road
Smithsburg, MD 21783

Member of the Commission on Correctional Standards; appointed to serve remainder of a three year term to expire June 30, 2008

28. Jeffrey Washington
10503 Vista Grande Drive
Mitchellville, MD 20721

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2006

Correctional Training Commission

29. John Dixon
2809 Boston Street, #364
Baltimore, MD 21224

Member of the Correctional Training Commission; appointed to serve remainder of a three year term to expire June 30, 2008

Criminal Injuries Compensation Board

30. Karl N. Milligan, Jr.
302 Ackerman Road
Stevensville, MD 21666

Member of the Criminal Injuries Compensation Board; appointed to serve remainder of a term of five years from July 1, 2004

Economic Development Corporation Board of Directors, Maryland

31. Barbara G. Buehl
20020 Potomac Overlook
Oldtown, MD 21555

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a four year term to expire June 30, 2008

32. Martin G. Knott, Jr.
6306 Blenheim Road
Baltimore, MD 21212

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2007

33. David H. Michael
1922 Chaparrall Court
Crownsville, MD 21032

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2006

34. Leonard R. Sachs
3522 Englemeade Road
Baltimore, MD 21208

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2004

35. Dana B. Stebbins, Esquire
11818 Bishops Content
Mitchellville, MD 20721

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve remainder of a term of four years from July 1, 2007

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland

- S-1. W. David Thompson
3611 Miller Road
Street, MD 21154

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Corporation; reappointed to serve remainder of a term of four years from July 1, 2006

Arts Council, Maryland State

- S-2. E. Scott Johnson, Esquire
1115 South Linwood Avenue
Baltimore, MD 21224

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2007

- S-3. Patricia L. Mote
One Presidential Drive
College Park, MD 20740

Member of the Maryland State Arts Council; reappointed to serve remainder of a term of three years from July 1, 2006

Aviation Commission, Maryland

- S-4. Raymond C. Nichols, Sr.
1156 Woodlyn Road
Annapolis, MD 21401

Member of the Maryland Aviation Commission; reappointed to serve a term of three years from October 1, 2007

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

- S-5. Howard K. Anderson
12591 Big Monie Road
Princess Anne, MD 21853

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2007

Correctional Standards, Commission on

S-6. Maria T. Elmo, M.D.
5605 Greenspring Avenue
Baltimore, MD 21209

Member of the Commission on Correctional Standards; reappointed to serve remainder of a term of three years from July 1, 2007

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany County Board of Election Supervisors

L-1. Richard L. DeVore, Jr.
P.O. Box 45
Ellerslie, MD 21529

Member of the Allegany County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-2. JoAnn Spiker
14401 New Georges Creek Road, S.W.
Frostburg, MD 21532

Member of the Allegany County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

Anne Arundel County Board of Election Supervisors

L-3. Jeremiah M. Brandt
8154 Forest Glen Drive
Pasadena, MD 21122

Member of the Anne Arundel County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-4. Matthew W. Platt, Jr.
1362 Hollow Glen Court
Baltimore, MD 21226

Member of the Anne Arundel County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

Baltimore City Board of Election Supervisors

L-5. Lawrence C. Cager, Jr.
3001 Granada Avenue
Baltimore, MD 21207

Member of the Baltimore City Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-6. Barbara G. Logan
3317 Liberty Heights Avenue, Unit 202
Baltimore, MD 21215

Member of the Baltimore City Board of Election Supervisors; appointed to serve remainder of a term of four years from the first Monday in June, 2007

L-7. Frankie L. Powell
5123 Queensberry Avenue
Baltimore, MD 21215

Member of the Baltimore City Board of Election Supervisors; appointed to serve remainder of a term of four years from the first Monday in June, 2007

L-8. Kevin A. Slayton
5624 Anthony Avenue
Baltimore, MD 21206

Secretary of State Police of the Baltimore City Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-9. Eleanor K. Wang
5405 Falls Road Terrace
Baltimore, MD 21210

Member of the Baltimore City Board of Election Supervisors; appointed to serve remainder of a term of four years from the first Monday in June, 2007

Baltimore County Board of Election Supervisors

L-10. Bruce N. Harris
7015 Plymouth Road
Baltimore, MD 21208

Member of the Baltimore County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-11. Karen L. Henley
7422 Greenback Road
Baltimore, MD 21220

Member of the Baltimore County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-12. Aaron Plymouth
8546 Stevenswood Road
Baltimore, MD 21244

Member of the Baltimore County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Calvert County Board of Election Supervisors

L-13. James C. Fisk
2921 Cedarwood Lane
Dunkirk, MD 20754

Member of the Calvert County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-14. Alice J. Fowler
1105 Doris Drive
Owings, MD 20736

Member of the Calvert County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-15. Warren E. Prince
2630 Aspen Road
Port Republic, MD 20676

Member of the Calvert County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-16. John P. Toohey
P.O. Box 592
Solomons, MD 20688

Member of the Calvert County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-17. Donato M. Williams
2045 Jessica Lane
Prince Frederick, MD 20678

Member of the Calvert County Board of Election Supervisors; appointed to serve remainder of a term of four years from the first Monday in June, 2007

Caroline County Board of Election Supervisors

L-18. Margret Ann Thompson
120 Edenton Lane
Denton, MD 21629

Member of the Caroline County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Carroll County Board of Election Supervisors

L-19. Charles W. Foreman
1416 Littlestown Pike
Westminster, MD 21158

Member of the Carroll County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-20. Pauline L. Kram
1309 Fridinger Mill Road
Westminster, MD 21157

Member of the Carroll County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-21. Gail S. Riley
2243 Bachmans Valley Road
Manchester, MD 21102

Member of the Carroll County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Charles County Board of Election Supervisors

- L-22. Fern G. Brown
P.O. Box 293
White Plains, MD 20695

Member of the Charles County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

- L-23. Gloria D. Hampton
1810 General Hampton's Place
Nanjemoy, MD 20662

Member of the Charles County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

- L-24. Norman J. Saunders, Sr.
11955 Woodbury Road
Nanjemoy, MD 20662

Member of the Charles County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Dorchester County Board of Election Supervisors

- L-25. William Edward Batson
5525 Finchville Reliance Road, P.O. Box 218
Hurlock, MD 21643-0218

Member of the Dorchester County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

- L-26. Thomas M. Corkran
3409 Choptank Drive
East New Market, MD 21631

Member of the Dorchester County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

- L-27. Deanna L. Mills
P.O. Box 102
Linkwood, MD 21835

Member of the Dorchester County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-28. Peggy E. Ruark
5828 Hudson Wharf Road
Cambridge, MD 21613

Member of the Dorchester County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-29. Jeanne H. Webster
2 Shady Drive
Cambridge, MD 21613

Member of the Dorchester County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Garrett County Board of Election Supervisors

L-30. Randall R. Glotfelty
187 Englewood Lane
Grantsville, MD 21536

Member of the Garrett County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-31. Charles P. Nolan
18 Hillcrest Drive
Deer Park, MD 21550

Member of the Garrett County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

L-32. Betty M. Pritt
470 Cherry Creek Lane
Oakland, MD 21550

Member of the Garrett County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Harford County Board of Election Supervisors

L-33. Kevin K. Keene, Esquire
1111 Glastonbury Way
Bel Air, MD 21014

Member of the Harford County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

- L-34. Edward D. Yoder
3520 Grier Nursery Road
Street, MD 21154

Member of the Harford County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

Howard County Board of Election Supervisors

- L-35. Charles M. Coles, Jr.
1596 Daisy Road
Woodbine, MD 21797

Member of the Howard County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

- L-36. Donna K. Thewes
9535 Cissell Avenue
Laurel, MD 20723

Member of the Howard County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Montgomery County Board of Election Supervisors

- L-37. Jerold S. Garson
8308 Raymond Lane
Potomac, MD 20854

Member of the Montgomery County Board of Election Supervisors; appointed to serve remainder of a four year term to expire June 5, 2011

- L-38. Nahid Khozeimeh, Sc.D.
7005 Millwood Road
Bethesda, MD 20812

Member of the Montgomery County Board of Election Supervisors; appointed to serve remainder of a four year term to expire June 5, 2011

- L-39. John J. Sullivan, Esquire
5405 Greystone Street
Chevy Chase, MD 20815

Member of the Montgomery County Board of Election Supervisors; appointed to serve remainder of a four year term to expire June 5, 2011

Queen Anne's County Board of Election Supervisors

L-40. George J. Gould, Sr.
5800 Main Street
Queenstown, MD 21658

Member of the Queen Anne’s County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-41. William A. Seth
99 Glendale Avenue
Centreville, MD 21617

Member of the Queen Anne’s County Board of Election Supervisors; reappointed to serve a term of four years from the first Monday in June, 2007

L-42. Brenda R. Williams
421 Greenspring Road
Queenstown, MD 21658

Member of the Queen Anne’s County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

Worcester County Board of Election Supervisors

L-43. Anna L. Hudson
509-B Deighton Avenue
Snow Hill, MD 21863

Member of the Worcester County Board of Election Supervisors; appointed to serve a term of four years from the first Monday in June, 2007

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 98)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 99)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #4

Senate Bill 28 – Senator Forehand

AN ACT concerning

All-Terrain Vehicles – Protective Headgear Vehicle Safety Task Force

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 100)

The Bill was then sent to the House of Delegates.

Senate Bill 57 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 101)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 102)

RECESS

At 11:33 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:00 P.M. on Monday, February 4, 2008, in memory of Marilyn Praisner.

AFTER RECESS
Annapolis, Maryland
Legislative Day: February 1, 2008
Calendar Day: Monday, February 4, 2008

At 8:05 P.M. the Senate resumed its session.

Prayer by Pastor Don Beutel, retired-formerly of St. John's Lutheran Church of Parkville, guest of Senator Klausmeier.

(For Prayer see Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 104)

INTRODUCTION OF BILLS

Senate Bill 515 – Senator Raskin

AN ACT concerning

Public Service Commission – Broadband Internet Service

FOR the purpose of requiring the Public Service Commission to adopt regulations requiring certain broadband providers to submit certain reports periodically to the Commission on the deployment of certain broadband Internet service to the public; specifying the required contents of the reports; requiring the Commission to publish the reports on the Commission's website; defining certain terms; and generally relating to broadband Internet service in Maryland.

BY adding to

Article – Public Utility Companies

Section 5–107

Annotated Code of Maryland

(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 516 – Senators Raskin, Astle, Brochin, Colburn, Conway, Currie, Forehand, Garagiola, Jacobs, Jones, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Muse, Peters, Pinsky, Pugh, Robey, Rosapepe, Stoltzfus, and Stone

AN ACT concerning

Family Law – Denial of Paternity, Custody, and Visitation

FOR the purpose of excluding as a father of a child a man who has committed a certain sexual crime against the child's mother for purposes of certain provisions relating to the paternity of a child in a guardianship or adoption proceeding under certain circumstances; requiring a court to consider a certain statement when making a certain finding; prohibiting a court from requiring publication of certain information under certain circumstances; requiring that a certain hearing be held within a certain period of time; authorizing a court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody of or visitation with a child to a parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring a court to consider the safety and well-being of the child's other parent or guardian in approving supervised visitation; and generally relating to adoption, guardianship, custody, and visitation.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–306, 5–3A–06, 5–3B–05, and 9–101.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 517 – Senator Stone

AN ACT concerning

Income Tax – Personal Exemptions – Inflation Adjustment

FOR the purpose of altering the amount of certain exemptions allowed under the State income tax for certain taxable years by a certain cost-of-living adjustment; and generally relating to a cost-of-living adjustment for certain exemptions allowed under the State income tax.

BY adding to
Article – Tax – General
Section 10–211(c)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 518 – Senator Stone

AN ACT concerning

Income Tax – Brackets – Inflation Adjustment

FOR the purpose of increasing the State income tax rate bracket thresholds for certain taxable years by a certain cost-of-living adjustment; and generally relating to a cost-of-living adjustment for certain tax rate brackets.

BY adding to

Article – Tax – General
Section 10–105(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 519 – Senators Stone and Miller

AN ACT concerning

**Education – Student Who Is a Victim of Violent Crime – Option to Require
Offender to Change Schools**

FOR the purpose of requiring a local superintendent of education to provide certain notice to a student who is the victim of certain crimes or acts committed by another student upon a certain conviction or finding; requiring a local superintendent to transfer a certain student upon a certain determination; requiring the State Board of Education to adopt certain regulations; requiring the State Board of Education to certify to the United States Secretary of Education that the State is in compliance with certain federal laws; defining certain terms; and generally relating to transfer policies concerning students who are victims of violent crimes or certain delinquent acts.

BY adding to

Article – Education
Section 7–303.1

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 520 – Senators DeGrange, Astle, Brinkley, Currie, Della, Dyson, Edwards, Garagiola, Glassman, Greenip, Harris, Klausmeier, Lenett, Madaleno, McFadden, Munson, Peters, Robey, and Stone

AN ACT concerning

Military Service Credit – Eligibility

FOR the purpose of repealing certain limitations and certain exceptions for members of the State Retirement and Pension System receiving credit for certain military service credit; and generally relating to members of the State Retirement and Pension System receiving military service credit.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 521 – Senators DeGrange, Astle, Garagiola, Kasemeyer, Klausmeier, Robey, and Rosapepe

AN ACT concerning

Junk Dealers and Scrap Metal Processors – Required Records

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase or sale of certain junk or scrap metal in the State; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; requiring junk dealers and scrap metal processors who are residents of the State to keep the required records for a certain period of time; providing that the records shall be open to inspection by certain law enforcement personnel; requiring nonresident junk dealers and scrap metal processors before transporting the junk or scrap metal from the State to submit the records to the primary law enforcement agency of the county where the junk or scrap metal was purchased; prohibiting junk dealers and scrap metal processors from purchasing junk or scrap metal unless the person seeking to sell the junk or scrap metal provides certain documentation; authorizing certain law enforcement personnel to enforce this

Act; establishing certain penalties; altering a certain definition; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 522 – Senators DeGrange, Brinkley, Dyson, Edwards, Glassman, Jones, Klausmeier, Lenett, Madaleno, McFadden, Munson, Pinsky, Robey, and Rosapepe

AN ACT concerning

Public Safety – Emergency Medical Services Board – Membership

FOR the purpose of altering the membership of the State Emergency Medical Services Board by increasing the number of members who are from the public at large and by adding one member who is a helicopter pilot employed by the Department of State Police within the Aviation Division; and generally relating to the State Emergency Medical Services Board.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–505
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 523 – Senators Robey, Forehand, Madaleno, Raskin, and Rosapepe

AN ACT concerning

Inheritance Tax – Exemptions – Domestic Partners

FOR the purpose of providing an exemption from the inheritance tax for certain property that passes from a decedent to or for the use of a domestic partner of a decedent or to or for the use of a domestic partner of a child of the decedent or a domestic partner of a lineal descendant of a child of the decedent under certain circumstances; providing an exemption from the inheritance tax for certain amounts received by a decedent because the decedent was a domestic partner of a Holocaust victim under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to exemptions from the inheritance tax for certain property that passes from a decedent to or for the use of a certain domestic partner of a decedent.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–203(b) and (k)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 524 – Senators Stone, Haines, Jacobs, Miller, and Muse

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Delegation of Contested Claims to Office of Administrative Hearings

FOR the purpose of authorizing the Criminal Injuries Compensation Board to adopt regulations for the approval of attorneys' fees for representation before the Office of Administrative Hearings; repealing the authority of the Board to hear and determine a certain claim, hold hearings, administer oaths, examine any person under oath, and issue certain subpoenas; authorizing the Board to tentatively determine a certain claim and request certain subpoenas; repealing the authority of the Board to delegate certain power to a certain member or employee; requiring the Board to provide a certain report to a certain claimant and a certain attorney; requiring the Secretary of Public Safety and Correctional Services to delegate the authority to conduct a certain hearing to the Office of Administrative Hearings under certain circumstances; requiring the Office to hold a certain hearing at a certain location under certain circumstances; altering a certain provision of law to require the Secretary to modify, affirm, or reverse a certain decision within a certain time period under certain circumstances; requiring that a certain claimant and a certain attorney be given a copy of a certain decision; authorizing a certain claimant to appeal a certain decision within a certain time period; authorizing the transfer and appropriation of certain money in a certain manner to the Office for a certain purpose; providing for the application of this Act; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–805, 11–814, and 11–815
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 525 – Senators Stone, Forehand, Haines, Jacobs, Miller, and Muse

AN ACT concerning

Criminal Injuries Compensation – Claims by Victims

FOR the purpose of requiring the Criminal Injuries Compensation Board to reduce the amount of a certain award or deny a certain claim if the Board finds that the victim contributed to the victim's own injury under certain circumstances; repealing a provision authorizing the Board to disregard the responsibility of the victim for the victim's own injury under certain circumstances; repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge; repealing a provision prohibiting a claimant from receiving an award under certain circumstances; repealing a reference to a certain schedule of benefits as it existed on a certain date and providing that the effective schedule of benefits applies; modifying certain definitions; providing that certain limitations regarding eligibility for an award do not apply with respect to certain victims; and generally relating to claims by victims for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801, 11–808(a), 11–810(a) and (d), and 11–811(a)(1)(i)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 526 – Senators Stone, Haines, Jacobs, Miller, Mooney, and Muse

AN ACT concerning

Criminal Procedure – Restitution – Priority to Victims

FOR the purpose of altering a provision of law so as to provide that payment of restitution to a victim has priority over any payments to any other person or governmental unit, subject to certain exceptions; and generally relating to restitution.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–606

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

(As enacted by Chapter 429 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–617(b)

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 527 – Chair, Budget and Taxation Committee

AN ACT concerning

Spending Mandate Relief Act

FOR the purpose of altering a requirement that the State budget include a certain appropriation to pay rent to counties for certain space occupied by clerks of the circuit courts; altering the calculation of certain State aid to private institutions of higher education; altering the calculation of certain State aid to libraries; and generally relating to certain State spending mandates.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–504

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 17–104(a), 23–205(c), and 23–503(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 528 – Senator Raskin

AN ACT concerning

Maryland Human Relations Commission – Administrative and Civil Relief – Waiver of Sovereign Immunity

FOR the purpose of clarifying that certain earnings and amounts earnable operate to reduce certain awards of back pay in certain administrative proceedings; establishing that certain respondents may elect to have certain claims asserted in a certain complaint filed with the Maryland Human Relations Commission determined in certain civil actions brought by the Commission on the complainant's behalf; requiring that certain respondents give notice of certain elections to the Commission and certain other complainants and respondents; establishing that the filing of certain civil actions will automatically terminate certain proceedings before the Commission; establishing that certain earnings and amounts earnable operate to reduce certain awards of back pay in certain civil actions; prohibiting the use of sovereign immunity as a defense against certain awards in employment discrimination cases; providing for the payment of certain awards made against the State; correcting a certain cross-reference; and generally relating to the Maryland Human Relations Commission, administrative and civil relief for certain acts of discrimination, and the waiver of sovereign immunity.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 11(e)(6), 11A, 11B, 11D, and 17A
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 17B
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 529 – Senators Raskin, Frosh, Conway, Currie, Kasemeyer, King, Madaleno, McFadden, Muse, Peters, and Pugh

AN ACT concerning

Circuit Courts – Venue – Removal

FOR the purpose of providing that a defendant may remove a certain declaratory judgment action or injunction action to the Circuit Court for Anne Arundel County under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a right of removal and venue in certain actions.

BY adding to
Article – Courts and Judicial Proceedings

Section 6-204
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 530 – Senators Raskin, King, Kramer, and Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – CentroNia Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of CentroNia, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 531 – Senators Muse and Forehand

AN ACT concerning

Courts – Immunity from Liability – Leaving Unharmed Newborn – Time Period

FOR the purpose of altering the time period within which a person may leave an unharmed newborn with a responsible adult and be immune from civil liability or criminal prosecution for the act; and generally relating to immunity from liability for leaving an unharmed newborn with a responsible adult.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5-641(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 532 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George's County - Foreclosure - Subprime Mortgages - Moratorium

FOR the purpose of prohibiting a creditor from maintaining suit in an action to foreclose a certain mortgage on residential real property in Prince George's County under certain circumstances; establishing that a certain creditor may be liable for certain damages under certain circumstances; defining certain terms; providing for the termination of this Act; making this Act an emergency measure; and generally relating to imposing a moratorium on foreclosure of certain subprime mortgages on residential real property in Prince George's County.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 533 - Senators Muse, Frosh, Garagiola, Jones, McFadden, Peters, Pugh, and Raskin

AN ACT concerning

Task Force to Study How to Improve Financial Literacy in the State

FOR the purpose of creating a Task Force to Study How to Improve Financial Literacy in the State; providing for the composition, co-chairs, and staffing of the Task Force; providing that a member of the Task Force may not receive compensation but may be reimbursed for certain expenses; requiring the Task Force to study the ability of certain consumers to understand certain financial concepts and the problems created for certain consumers by a lack of financial literacy or knowledge; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor and to the General Assembly; providing for the termination of this Act; and generally relating to the Task Force to Study How to Improve Financial Literacy in the State.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 534 - Senator Muse

AN ACT concerning

Valuation of Real Property - Completed Improvements

FOR the purpose of altering a requirement that real property shall be revalued when certain improvements are made; and generally relating to valuation of real property for property tax purposes.

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 8–104(a)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–104(c)(1)(iii)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 535 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Foreclosure – Subprime Mortgages – Moratorium

FOR the purpose of prohibiting a creditor from maintaining suit in an action to foreclose a certain mortgage under certain circumstances; establishing that a certain creditor may be liable for certain damages under certain circumstances; defining certain terms; providing for the termination of this Act; making this Act an emergency measure; and generally relating to imposing a moratorium on foreclosure of certain subprime mortgages.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 536 – Chair, Budget and Taxation Committee

AN ACT concerning

Drinking Driver Monitor Program – Fee

FOR the purpose of altering a certain fee assessed for the Drinking Driver Monitor Program; repealing the termination of a certain fee; and generally relating to the Drinking Driver Monitor Program.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–115(b) and (c)
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Judicial Proceedings.

Senate Bill 537 – Senator Pipkin

AN ACT concerning

Tax Reduction Act

FOR the purpose of repealing certain provisions requiring the Governor to include certain appropriations in the budget bill for each fiscal year; repealing a requirement that the Client Protection Fund of the Bar of Maryland impose certain tax clearance requirements on lawyers relating to the payment of certain annual fees; altering the distribution of the corporate income tax revenue; altering the distribution of the sales and use tax revenue; repealing the State admissions and amusement tax imposed on the net proceeds derived from the operation of certain bingo games and tip jars; repealing certain recordation and transfer taxes imposed on the transfer of a controlling interest in certain entities owning certain interests in real property in Maryland; altering the distribution of the motor fuel tax revenue; altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales and use tax; altering the rates and rate brackets under the State income tax on individuals; altering the rate of the State corporate income tax; altering the application of the income tax rates to nonresidents; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax; imposing a certain restriction on eligibility to claim a refundable earned income credit under certain circumstances; altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a refundable credit under the Maryland earned income credit under certain circumstances; altering eligibility for and the calculation of a refundable county earned income credit if a county provides a refundable county earned income credit; altering the definition of “taxable service” under the sales and use tax to repeal the tax on certain computer services; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; repealing a certain limit on a certain credit relating to collecting and paying the sales and use tax; providing certain sales and use tax exemptions relating to certain computer services and certain computer software maintenance contracts; altering the tobacco tax rate for cigarettes; altering the maximum allowable aggregate amount of outstanding and unpaid consolidated transportation bonds and bonds of prior issues; altering certain provisions for the pledging of certain revenues for certain purposes; altering the distribution of certain revenues to a certain account in the Transportation Trust Fund; altering the distribution of certain revenues received under the Maryland Vehicle Law; altering the distribution of revenue collected from certain special license tax fees; altering the distribution of revenue collected from certain security interest filing fees; providing that the

Motor Vehicle Administration shall determine the amount of certain fees imposed for issuance of a certificate of title for a motor vehicle; altering the definition of “total purchase price” for purposes of the motor vehicle excise tax; altering the rate of the motor vehicle excise tax; repealing a certain termination date; repealing a certain definition; providing for the application of this Act; and generally relating to Maryland taxes and revenues.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1104

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Business Occupations and Professions

Section 10–313(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Natural Resources

Section 4–209(k)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Natural Resources

Section 8–707(d)

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Tax – General

Section 2–613.1 and 11–101(c–1)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Tax – General

Section 2–1302.2, 4–102(d), and 4–105(a–1)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Article – Tax – Property

Section 12–117 and 13–103

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session

Section 8, 9, and 11

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–106(f), 2–614(a), 2–615, 10–105, 10–211, 10–601, 10–704(b)(2) and (c)(2)(i) and (iii), 11–101(m), 11–105, and 11–219

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–202, 2–1104, 2–1302.1, 2–1303, 4–105(b), 11–104(a) and (b), 11–301, and 12–105(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–110(d)(2)

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 3–202(b), 3–215(b)(4), and 8–402(b)(2)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

BY adding to

Article – Transportation
Section 13–208 and 13–613(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–613(d), 13–802, and 13–809(a)(3) and (c)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session
Section 13

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 538 – Senator Pipkin

AN ACT concerning

Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; authorizing the Authority, on or after the effective date of this Act, to continue to charge and collect a toll of the same amount in effect before the effective date of this Act; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 4–312

Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 539 – Senator Pipkin

AN ACT concerning

Cecil County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$5,000,000 in order to finance the cost of the construction and improvement of certain public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds in like amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; and relating generally to the issuance and sale of the bonds by Cecil County.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 540 – Chair, Budget and Taxation Committee

AN ACT concerning

Central Collection Unit – Special Fund Balances

FOR the purpose of providing that certain balances in the Central Collection Fund at the end of each fiscal year revert to the General Fund; authorizing the Governor to transfer to the General Fund certain amounts from the Central Collection Fund for a certain fiscal year; providing for the application of this Act; and generally relating to the Central Collection Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–306
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 541 – Senators McFadden, DeGrange, Edwards, King, Madaleno, Munson, Robey, and Stone

AN ACT concerning

Correctional Officers' Retirement System – Service Retirement Allowance

FOR the purpose of altering the member contribution rate for members of the Correctional Officers' Retirement System; altering the accrual rate for computing the retirement allowance of members of the Correctional Officers' Retirement System; and generally relating to the service retirement allowance for members of the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–203 and 25–401
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 542 – Senator Haines

AN ACT concerning

Workers' Compensation – Covered Employment – Nonstock Corporations

FOR the purpose of authorizing certain directors and officers of certain nonstock corporations to elect to be exempt from coverage under the workers' compensation law; and generally relating to coverage under workers' compensation law.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 5–202
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–206
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 543 – Senators Jacobs and Pipkin

AN ACT concerning

Creation of a State Debt – Union Hospital of Cecil County

FOR the purpose of authorizing the creation of a State Debt not to exceed \$110,000, the proceeds to be used as a grant to the Board of Directors of Union Hospital of Cecil County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 544 – Senators Jacobs and Pipkin

AN ACT concerning

Creation of a State Debt – Cecil County – 4-H Animal Display Barn

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the Cecil County Fair, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 545 – Chair, Budget and Taxation Committee

AN ACT concerning

Maryland Health Care Provider Rate Stabilization Account – Transfer of Funds

FOR the purpose of authorizing certain funds in a certain account of the Maryland Health Care Provider Rate Stabilization Fund to be transferred to certain accounts to be used for certain purposes; and generally relating to the use of certain funds in a certain account of the Maryland Health Care Provider Rate Stabilization Fund.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–804(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 19–804(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

Senate Bill 546 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Charter Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–406
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 547 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Rockville Old Post Office Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for

the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 548 – Senator Gladden

AN ACT concerning

Real Estate Investment Trusts – Definition and Share Information

FOR the purpose of altering the definition of “real estate investment trust” to clarify that the term means an unincorporated “business” trust or association formed under certain provisions of law; establishing that a real estate investment trust, on request of the shareholder, shall send a written statement containing certain information for shares issued without certificates without charge; and generally relating to real estate investment trust law.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 8–101 and 8–203(f)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 549 – Senator Gladden (By Request – Baltimore City Administration)

AN ACT concerning

State Government – Custodian of Records – Inspection of Public Records

FOR the purpose of requiring certain custodians to deny inspection of certain public records subject to certain exceptions; requiring certain custodians to permit inspection of certain public records under certain circumstances; requiring certain court orders to be narrowly tailored to satisfy only certain purposes under certain circumstances; prohibiting the court from finding good cause for the necessity of a certain inspection under certain circumstances; and generally relating to the inspection of public records.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–615
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 550 – Senator Gladden

AN ACT concerning

Health Care Malpractice – Death – Noneconomic Damages

FOR the purpose of altering certain limitations on noneconomic damages for a survival action and a wrongful death action concerning health care malpractice for a cause of action arising on or after a certain date; providing for a delayed effective date; and generally relating to noneconomic damages in survival and wrongful death actions concerning health care malpractice.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 551 – Senator Gladden

AN ACT concerning

**Family Law – CINA, Guardianship, Adoption, and Custody Proceedings –
Blindness of Parent, Guardian, or Custodian**

FOR the purpose of prohibiting a court, in a certain hearing concerning a child in need of assistance (CINA), from considering the blindness of the child's parent, guardian, or custodian in making a certain finding; prohibiting a court, in making a disposition on a CINA petition, from finding that a child is in need of assistance for the sole reason that the parent, guardian, or custodian of the child is blind; prohibiting a court, in determining whether to grant custody and guardianship of a CINA to a relative or nonrelative, from considering whether the relative or nonrelative is blind; defining "parental disability", under certain provisions of law relating to guardianship of a child, to exclude blindness; prohibiting a local department of social services, a guardian, or a child placement agency, in certain adoption proceedings, from withholding consent on an adoption petition solely because a prospective adoptive parent is blind; prohibiting a court, in ruling on a certain adoption petition, from denying the petition solely because the petitioner is blind; prohibiting a child from being committed to a local department of social services and placed in an out-of-home placement solely because the child's parent or guardian is blind; requiring the Social Services Administration to adopt certain regulations prohibiting a local

department from taking certain actions solely because a child's parent or guardian is blind; prohibiting a court, in making a decision regarding custody or visitation, from considering whether a party to the proceeding is blind; and generally relating to the blindness of a child's parent, guardian, custodian, relative, nonrelative, or prospective adoptive parent in a CINA, guardianship, adoption, custody, or visitation proceeding.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(d), 3–819(b), and 3–819.2(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–819.2(e)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–323(a), 5–338(b), 5–350(b), 5–3A–35(b), 5–3B–19(b), and 5–525(c)(2)(i)
and (i)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–323 (d)(2)(iii)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Family Law
Section 9–107
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 552 – Senator Gladden

AN ACT concerning

Criminal Procedure – Penalties – The “Smart on Crime” Act

FOR the purpose of altering penalties for certain drug possession offenses based on the amount of drugs involved; specifying that a person convicted of certain drug-related offenses is not prohibited from participating in a certain drug treatment program because of the length of sentence; specifying that a person convicted of certain drug-related offenses who was previously convicted of certain offenses is not prohibited from participating in a certain drug treatment program because of the length of the sentence; altering penalties for certain drug distribution offenses based on the amount of drugs involved with a certain exception; providing that a person convicted of a certain drug distribution offense who was convicted previously of a crime of violence is not eligible for certain penalties; allowing a person who is serving a term of confinement for certain drug-related offenses that includes a mandatory minimum sentence imposed before a certain date under certain conditions to apply for and receive a certain hearing and a certain review of the mandatory minimum sentence; authorizing a court or review panel to take certain action; requiring an application for review under this Act to be filed on or before a certain date; making technical changes; and generally relating to penalties for drug-related offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5-601, 5-602, 5-603, 5-607, 5-608, and 5-609
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to
Article – Criminal Law
Section 5-609.1
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 553 – Senator Gladden

AN ACT concerning

Insurance – Slavery Era Insurance Policies – Reporting

FOR the purpose of requiring certain insurers to provide the Maryland Insurance Commissioner with a report of certain information about certain slaveholder insurance policies issued during the slavery era; authorizing a holding company to designate an insurer in the holding company to be a reporting insurer on behalf of the member insurers of the holding company; requiring the Commissioner to adopt regulations that specify the form and content of a certain report; requiring the Commissioner to issue a certain report; requiring a certain report to contain certain names; requiring a certain report to be made

available to the public; requiring the Commissioner to make a copy of a certain report available on a certain website; requiring the Commissioner to provide a copy of a certain report to the Governor and the General Assembly; defining certain terms; and generally relating to the reporting of slavery era insurance policies.

BY adding to

Article – Insurance

Section 30–101 through 30–103 to be under the new title “Title 30. Slavery Era Insurance Policy Reporting”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 554 – Senator Gladden

AN ACT concerning

Property Tax – Crimes and Offenses – False Information on Refund Claims

FOR the purpose of providing that a person who negligently relies on certain false information for the purpose of claiming a property tax refund is guilty of a misdemeanor and is subject to a certain fine under certain circumstances; providing that a person who willfully relies on certain false information for the purpose of claiming a property tax refund is guilty of a misdemeanor and is subject to a certain fine or imprisonment or both under certain circumstances; defining a certain term; providing that a person who willfully relies on certain false information for the purpose of claiming a property tax refund is subject to prosecution for perjury; and generally relating to crimes and offenses for providing false information for the purposes of claiming a property tax refund.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–1003 and 14–1004

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 555 – Senator Gladden

AN ACT concerning

Local Correctional Facilities – Diminution Credits – Good Conduct

FOR the purpose of increasing the allowed deduction each month from an inmate's term of confinement for each calendar month of presentence confinement for good conduct in a local correctional facility; increasing the allowed deduction each month from an inmate's term of confinement for each calendar month of postsentence commitment for good conduct for certain inmates in a local correctional facility; providing an exception for certain inmates whose sentence is for committing certain crimes; providing for the application of this Act; and generally relating to diminution credits for certain inmates of certain correctional facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–503 and 11–504
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 556 – Senator Gladden

AN ACT concerning

Corporations – Objecting Stockholders – Right to Fair Value of Stock

FOR the purpose of altering the circumstances under which a stockholder of a Maryland corporation who objects to certain transactions may demand and receive the fair value of the stockholder's stock; authorizing a stockholder to demand the fair value of stock listed on a national securities exchange under certain circumstances; repealing obsolete references to certain securities quotations systems; altering the definition of “beneficial owner” under the Maryland Business Combination Act to exclude, under certain circumstances, a person that holds a revocable proxy from a stockholder; defining certain terms; making certain stylistic and conforming changes; and generally relating to rights of objecting stockholders.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 3–201, 3–202(c), and 3–601(d)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Corporations and Associations
Section 3–202(d) and (e)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 3–601(a)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 557 – Senator Gladden

AN ACT concerning

Lead Poisoning Prevention Act of 2008

FOR the purpose of requiring a certain application form for a contractor license to require a certain lead paint abatement accreditation number and accreditation expiration date if the applicant provides certain lead paint abatement services; requiring a certain licensee applying for a license renewal to submit to the Maryland Home Improvement Commission a certain lead paint abatement accreditation number and expiration date if the licensee performs certain lead paint abatement services; prohibiting a certain licensee from violating certain lead paint abatement accreditation requirements; requiring an owner of a certain property who fails to comply with certain standards, on written request of a tenant, under certain circumstances to release a tenant from a certain lease and pay to the tenant certain relocation expenses not to exceed a certain amount; providing that an owner may provide certain information to a tenant in response to a certain request; providing a tenant with a certain action in district court under certain circumstances; providing that certain actions, inaction, or findings may not be construed to have any effect on any civil action or any administrative proceeding brought under certain provision of law; altering certain definitions; and generally relating to eliminating lead risk in housing.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–301, 8–303(a), and 8–620
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–303(b), 8–308, and 8–611
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–801(m)

Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property

Section 8–215

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 558 – Senators Gladden and McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Procedure – Consecutive or Concurrent Sentence for Unlawful Possession of Regulated Firearm – Diminution Credit Eligibility

FOR the purpose of decreasing the number of days per month that an inmate serving a term of confinement that includes a consecutive or concurrent sentence for a crime of possession of a regulated firearm by a person prohibited from possessing a regulated firearm is allowed as a deduction in advance from the inmate's term of confinement; making stylistic changes; and generally relating to possession of firearms by certain persons and diminution credit eligibility.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–704

Annotated Code of Maryland

(1999 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–133

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 559 – Senators Madaleno, Jones, and King

AN ACT concerning

Recordation Tax – Indemnity Mortgages

FOR the purpose of providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; and generally relating to the treatment of certain indemnity mortgages under the recordation tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–105(f)

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 560 – Senator Madaleno

AN ACT concerning

State Employees and Retirees – Health Insurance and Benefit Options – Coverage

FOR the purpose of authorizing a State employee or retiree to enroll certain members of the employee's or retiree's household in certain health insurance or other benefit options; and generally relating to health insurance and other benefit options for State employees and retirees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–502

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 561 – Senator Madaleno

AN ACT concerning

County Property Taxes – Classes of Property and Special Rates

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county to impose property tax on those classes of property that it selects to be subject to property tax; providing that the county property tax is imposed only on assessments made under certain provisions of law; authorizing the Mayor and City Council of Baltimore City or the governing body

of a county to set special rates for any class of property that is subject to the county property tax; providing a certain exception to certain requirements regarding county property tax rates; repealing certain obsolete provisions of law; providing for the application of this Act; and generally relating to authority for Baltimore City and the counties to select certain classes of property and set certain special tax rates for purposes of county property taxation.

BY repealing

Article – Tax – Property
Section 6–202
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 6–203 and 6–302
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 562 – Senators Madaleno, Jones, and Pinsky

AN ACT concerning

**Alcoholic Beverage Tax – Special Fund for Adult and Adolescent Addiction
Treatment and Prevention Services**

FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland; altering the distribution of the alcoholic beverage tax revenue; requiring the Comptroller to distribute a portion of the alcoholic beverage tax revenue to a special fund to be used only for certain purposes; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes for certain fiscal years.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–301 and 5–105
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 563 – Senator Raskin

AN ACT concerning

Lilly Ledbetter Fair Pay Act of 2008

FOR the purpose of authorizing the recovery of certain back pay where a certain unlawful employment practice is similar or related to a certain other unlawful employment practice; clarifying that a certain unlawful employment practice occurs when a certain decision or practice is adopted, when an individual becomes subject to a certain decision or practice, or when an individual is affected by application of a certain decision or practice, including each time certain compensation is paid under a discriminatory compensation decision or practice; declaring the intent of the General Assembly; providing for the application of this Act; and generally relating to unlawful discriminatory compensation practices.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 11(e) and 11A(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 11B(e-1) and 16(f-1)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 564 – Senator McFadden (Chair, Joint Committee on Pensions)
and Senators Currie, Kasemeyer, Munson, and Robey**

AN ACT concerning

State Retirement and Pension System – Reemployment of Retirees

FOR the purpose of requiring certain local school superintendents to make certain reimbursements under certain circumstances by a certain date; providing that certain members of the Judges' Retirement System may earn service credit under certain circumstances; providing for certain individuals who are retirees of the Employees' Retirement System or Employees' Pension System to elect to suspend temporarily their service retirement allowances under certain circumstances; requiring the Board of Trustees to suspend temporarily certain service retirement allowances under certain circumstances as of a certain date; exempting certain individuals who are retirees of the Employees' Retirement System or Employees' Pension System from a certain earnings offset under certain circumstances; providing for the resumption of a service retirement allowance with certain adjustments to the allowance after receipt by the Board of Trustees for the State Retirement and Pension System of certain

documentation; providing for certain survivorship benefits for surviving spouses of certain individuals who are retirees of the Employees' Retirement System or Employees' Pension System; requiring the Joint Committee on Pensions to submit certain information to the Senate Budget and Taxation Committee and the House Appropriations Committee by a certain date; requiring certain State agencies to submit certain data to the Joint Committee on Pensions; providing for the termination of certain provisions of this Act; and generally relating to reemployment of retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(1) and (9) and 23–407(c)(1) and (9)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 22–407 and 23–408
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 565 – Senators Garagiola, Brochin, Edwards, Forehand, Middleton, Peters, Raskin, and Rosapepe

AN ACT concerning

Income Tax Credit – Bio-Heating Oil

FOR the purpose of allowing an individual or corporation to claim a certain credit against the State income tax for each gallon of heating oil with a certain blend of biodiesel purchased for certain uses; limiting the amount of the credit for a certain tax year; requiring the Maryland Energy Administration to administer a certain initial credit certificate; requiring the Maryland Energy Administration to provide to the Comptroller certain information about taxpayers applying for certain credit certificates; requiring the Maryland Energy Administration to adopt certain regulations; requiring the Maryland Energy Administration to conduct a certain public relations campaign; providing for the application of this Act; and generally relating to heating oil blended with biodiesel.

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 566 – Senator Garagiola

AN ACT concerning

Health Care Facility Visitation and Medical Decisions – Domestic Partners

FOR the purpose of requiring certain health care facilities to allow domestic partners and certain relatives of domestic partners to visit a domestic partner except under certain circumstances; requiring two adults to be treated as domestic partners under certain circumstances related to medical emergencies; providing that a health care agent retains certain authority to make certain decisions notwithstanding certain provisions of law; providing that an individual who asserts a domestic partnership may be required to provide certain proof; prohibiting the Department of Health and Mental Hygiene from denying a domestic partner the right to inspect a record to permit a disinterment or reinterment of a body; authorizing a domestic partner to give consent to conduct a postmortem examination of a certain body; authorizing a domestic partner to arrange for the final disposition of the body of a decedent under certain circumstances; authorizing a domestic partner to make the health care decisions for a certain person; authorizing a domestic partner of a certain patient to petition a court to enjoin the actions of a certain health care provider; authorizing a domestic partner to accompany an individual being transported from one health care facility to another health care facility under certain circumstances; establishing that a domestic partner may be a representative of a deceased from whom a hospital is asking for authorization for a human organ donation; prohibiting a hospital from billing a domestic partner for the costs associated with the deceased domestic partner's organ donation; requiring that domestic partners be given the opportunity to share a room in a certain facility under certain circumstances; requiring certain related institutions to allow a resident who is a party to a domestic partnership to have privacy during a visit by the other domestic partner; authorizing a domestic partner of a resident of a facility to file a certain complaint; authorizing a domestic partner to arrange the final disposition of the body of a decedent with a mortician under certain circumstances; establishing that for purposes of an interest in the property of a burial site, a domestic partner is a person in interest; establishing that a domestic partner is a next of kin for purposes of making anatomical gifts of a decedent; defining certain terms; making the provisions of this Act severable; and generally relating to health care facility visitation and medical decisions by a domestic partner.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 1–101, 4–215(e), 5–501(b), 5–509(c), 5–605(a)(2), 5–612(b), 10–807(e),
19–310(a)(4) and (7), and 19–344(h), (k), and (q)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 4–215(a), 5–501(a), 5–509(a), 5–605(a)(1), 5–612(a), 10–807(a), and
19–344(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health – General

Section 6–101 through 6–203 to be under the new title “Title 6. Health Care
Facility Visitation and Medical Emergencies”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 7–410(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–410(c)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–121(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 4–501

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 567 – Senators Garagiola, Exum, Forehand, Kelley, King, Lenett,
and Raskin**

AN ACT concerning

Computer Services Tax Repeal and Transportation Funding Act

FOR the purpose of altering the distribution of motor fuel tax revenue to the Gasoline and Motor Vehicle Revenue Account and the Transportation Trust Fund for certain fiscal years; altering the distribution of sales and use tax revenues to the Transportation Trust Fund for certain fiscal years; providing for certain increases in certain motor fuel tax rates for certain fiscal years; repealing the sales and use tax on certain computer services; providing that the sales and use tax does not apply to certain computer software services; providing for the payment of the motor fuel tax on certain tax-paid motor fuel held as of certain dates; establishing the Sales and Use Tax Study Task Force to study the feasibility and ramifications for applying the sales and use tax to certain services; providing for the effective date of certain provisions of this Act; and generally relating to taxes and transportation funding.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2-1103 and 9-305
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2-1302.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing
Article – Tax – General
Section 11-101(c-1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11-101(m) and 11-219
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY repealing and reenacting, with amendments,
Article – Tax – General

Section 2-1103, 2-1302.2, and 9-305
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 568 – Senators Stone and Della

AN ACT concerning

Motor Vehicles – Certificates of Title – Rebuilt Salvage

FOR the purpose of requiring that a certificate of title to a vehicle contain a conspicuous notation that the vehicle is “rebuilt salvage” whenever an insurance company’s application for a salvage certificate for the vehicle contains a statement that the cost to repair the vehicle for highway operation was equal to or less than the fair market value of the vehicle prior to the vehicle sustaining damage; and generally relating to salvaged vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13-506(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13-507
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 569 – Senator Dyson

AN ACT concerning

Secondhand Precious Metal Object Dealers and Pawnbrokers – Definition of Dealer

FOR the purpose of altering the definition of “dealer”, as it relates to the regulation of secondhand precious metal object dealers, to mean an individual who arranges for the sale or delivery of a secondhand precious metal object on behalf of a person who does not hold a license to do business as a dealer; and generally relating to the regulation of secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 12–101(a), (e), and (i) and 12–201
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 570 – Senators Garagiola, Astle, Exum, Glassman, Kittleman, Klausmeier, Middleton, Pugh, and Robey

AN ACT concerning

State Emergency Medical Services Board – Public Access Automated External Defibrillator Program

FOR the purpose of renaming the Automated External Defibrillator Program to be the Public Access Automated External Defibrillator Program; identifying the purpose of the program; repealing the authority of the State Emergency Medical Services Board to set and require certain fees for the issuance and renewal of certain certificates; authorizing the Board to deny, suspend, revoke, or refuse to renew certain certificates, to approve certain educational and training programs that include training in automated external defibrillation, and to approve a certain protocol; repealing the authority of the Board to require certain facilities to produce certain records and equipment for inspection under certain circumstances; repealing the requirement that the Board pay certain fees to the Comptroller of the Treasury; exempting certain places of business from a certain requirement that certain facilities possess certain certificates; altering certain requirements relating to qualifying for a certain certificate; requiring certain facilities to report certain uses of an AED to the Maryland Institute for Emergency Medical Services Systems for certain review; repealing the authorization for certain individuals to operate an AED at certain facilities under certain circumstances; repealing the requirement that certain individuals follow certain protocols; repealing the authority of the Board to issue a cease and desist order or obtain injunctive relief under certain circumstances; repealing the requirement that certain facilities satisfy certain requirements in order to be immune from certain liabilities; providing that certain members of the regional council AED committee are not civilly liable for certain acts or omissions; repealing certain requirements that certain individuals must meet in

order to be immune from certain liabilities; providing that certain immunities from civil liability are not affected by certain other provisions of this Act; defining certain terms; and generally relating to the Public Access Automated External Defibrillator Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 13–501(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 13–517
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 571 – Senator Astle

AN ACT concerning

Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties

FOR the purpose of providing that a surety insurer that is precluded or removed from a certain list by a circuit court due to failure to timely resolve or satisfy certain bail bond forfeitures shall be subject to certain penalties; requiring a clerk of a circuit court to notify the Maryland Insurance Commissioner of the names of certain surety insurers and certain bond forfeitures at a certain time; and generally relating to failure of a surety insurer to pay bail bond judgments.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 21–103
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 572 – Senators Klausmeier and Stone

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Program – Baltimore County

FOR the purpose of adding Baltimore County to a certain Truancy Reduction Pilot Program; making certain provisions relating to Truancy Reduction Pilot Programs in certain counties applicable to Baltimore County; providing for the termination of this Act subject to a certain contingency; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–01 and 3–8C–02
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(e–1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 551 of the Acts of the General Assembly of 2004, as amended by
Chapter 648 of the Acts of the General Assembly of 2007
Section 3

BY repealing and reenacting, without amendments,
Chapter 551 of the Acts of the General Assembly of 2004, as amended by
Chapter 648 of the Acts of the General Assembly of 2007
Section 4

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 573 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 574 – Senators Klausmeier, Astle, Brochin, DeGrange, Della, Exum, Garagiola, Kelley, Pugh, Robey, Stone, and Zirkin

AN ACT concerning

Public Health – Construction Sites – Rest Rooms

FOR the purpose of prohibiting a State or local authority from issuing a certain building permit for certain construction projects unless the site has a toilet and lavatory that meet certain requirements; requiring certain toilets to be flush toilets under certain circumstances; providing that certain provisions only apply to certain construction projects that have a certain total cost; defining a certain term; and generally relating to rest rooms at construction sites.

BY adding to

Article – Health – General

Section 24–1601 to be under the new subtitle “Subtitle 16. Rest Rooms at Construction Sites”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 575 – Senators Forehand, Garagiola, and Klausmeier

AN ACT concerning

Public Safety – Statewide DNA Database System – Sexual Offenses and Kidnapping – Sample Collection on Arrest

FOR the purpose of requiring the collection of a DNA sample from an individual who is arrested for certain sexual offenses or kidnappings; adding the facility where a certain arrest is processed as a location where a DNA sample shall be collected; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; providing for the expungement, under certain circumstances, of certain DNA information collected due to an arrest; altering a certain definition; defining a certain term; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–501, 2–504, and 2–511

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 576 – Senators Forehand, Madaleno, and Raskin

AN ACT concerning

**REAL ID Act of 2005 – Implementation of Regulations or Policies –
Expenditure of Funds**

FOR the purpose of prohibiting the Department of Transportation and the Motor Vehicle Administration from expending any funds for the implementation of any regulations or policies intended to bring the State into compliance with the federal REAL ID Act of 2005, beginning with a certain fiscal year; and generally relating to implementation of the federal REAL ID Act of 2005.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 577 – Senator Forehand

AN ACT concerning

Individuals with Disabilities – Service Animals

FOR the purpose of altering certain provisions of law establishing certain rights and privileges for individuals with certain disabilities to include all individuals with disabilities; altering certain provisions of law relating to use of service animals by individuals with certain disabilities to include all individuals with disabilities and the parents of certain minor children with disabilities; altering certain provisions of law relating to access by service animal trainers to certain places; altering the scope of certain provisions of law; defining certain terms; altering a certain definition; and generally relating to individuals with disabilities and service animals.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 7–701, 7–704, and 7–705

Annotated Code of Maryland

(2007 Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 578 – Senator Forehand

AN ACT concerning

Vehicle Laws – Medical Advisory Board – Confidentiality

FOR the purpose of authorizing the Medical Advisory Board appointed by the Motor Vehicle Administrator to disclose certain information for certain purposes subject to a certain restriction; and generally relating to the disclosure of information by the Medical Advisory Board.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–118 and 16–119
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 579 – Senator Forehand

AN ACT concerning

Immunity from Liability – Medical Emergency – Use of Automated External Defibrillator

FOR the purpose of providing immunity from civil liability under certain circumstances, notwithstanding certain other provisions of law, to an individual or facility that acquires an automated external defibrillator (AED) or that owns, manages, or is responsible for the premises where an AED is located, to a certain individual who retrieves an AED, or to a certain individual who uses, attempts to use, or fails to use an AED in response to a sudden cardiac arrest emergency at a facility; altering, under the Automated External Defibrillation Program of the Maryland Institute for Emergency Medical Services Systems, the circumstances under which an individual is immune from civil liability for providing automated external defibrillation; providing that immunity from liability is not available to certain persons for certain conduct that is grossly negligent, willful or wanton misconduct, or intentionally tortious conduct; and generally relating to immunity from liability for use of an automated external defibrillator.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–603(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–603(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 13–517(a)(1) and (3) and (m)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 13–517(m)(3) and (4)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 580 – Senators Conway, Colburn, Lenett, and Stoltzfus

AN ACT concerning

**Radiation Oncology/ Therapy Technologists, Medical Radiation
Technologists, Radiologist Assistants, and Nuclear Medicine
Technologists – Licensure**

FOR the purpose of requiring the State Board of Physicians to adopt certain regulations for the licensure of radiologist assistants and the licensure instead of certification of radiation oncology/therapy technologists, medical radiation technologists, and nuclear medicine technologists; requiring the Board to set certain fees; altering the name and membership of the Radiation Oncology/Therapy Technology, Medical Radiation Technology, and Nuclear Medicine Technology Advisory Committee; requiring the Committee to make certain recommendations, review certain applications, investigate certain complaints, and provide certain advice regarding radiologist assistants; providing for the supervision of certain radiologist assistants; requiring the Board to determine certain duties of certain radiologist assistants; requiring that certain individuals be licensed by the Board to practice radiology assistance on or before a certain date; establishing certain qualifications for certain radiologist assistants; providing for the renewal and reinstatement of certain licenses for radiologist assistants; authorizing the Board to deny, reprimand, place on probation, or suspend or revoke the licensure of a radiologist assistant under certain circumstances; requiring certain reports to be filed by certain health care institutions regarding radiologist assistants; allowing certain exceptions to filing certain reports; requiring certain notification of entrance into certain treatment programs; prohibiting the unauthorized practice of radiology assistance; prohibiting the practice or representation of the ability to practice radiology assistance without a certain license; substituting licensure for certification as the professional credential for medical radiation technologists and nuclear medicine technologists; requiring that the Board issue certain licenses to certain certified medical radiation

technologists and nuclear medicine technologists at the time certain certificates expire and in accordance with certain renewal requirements; authorizing certain certified medical radiation technologists and nuclear medicine technologists to continue to practice until certain licenses are issued; making certain technical changes; defining certain terms; and generally relating to the licensure of radiologist assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–5B–01, 14–5B–03 through 14–5B–18, and 14–5B–20
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–5B–02, 14–5B–19, and 14–5B–21
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 581 – Senators Robey, DeGrange, Glassman, King, McFadden, Middleton, Muse, Peters, Stoltzfus, and Zirkin

AN ACT concerning

Hometown Heroes Act of 2008 – Income Tax – Subtraction Modification for Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 582 – Senators Jones, Exum, McFadden, and Pugh

AN ACT concerning

Education – Multiple Suspensions

FOR the purpose of requiring certain principals to report certain suspensions of certain students in writing to certain county superintendents within certain periods of time; requiring certain principals to refer certain students to certain pupil services teams and give certain notice to certain students and certain parents or guardians that certain pupil services teams shall meet within a certain period of time; requiring certain notice to be provided in certain languages or certain modes of communication; requiring certain pupil services teams to meet with certain students and certain parents or guardians to develop certain plans, determine certain dates and times for certain subsequent meetings, identify certain resources to be used for certain purposes, and review certain student records within a certain period of time; requiring certain pupil services teams to refer to certain community resources lists in developing certain plans; and generally relating to student suspensions.

BY adding to

Article – Education

Section 7–305(c–1)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 583 – Senators Della, Colburn, Exum, Forehand, Frosh, Jones, King, Madaleno, Munson, Muse, Pinsky, Rosapepe, and Stone

AN ACT concerning

Electric Restructuring – Purposes and Duties of the Public Service Commission

FOR the purpose of altering and adding to the purposes of the electric restructuring law; requiring the Public Service Commission to exercise its authority to ensure that electric companies satisfy certain reliability needs and electricity supply needs and provide certain customers with safe and reliable electricity supply at prices that reflect a certain balance; providing the Commission with oversight over certain generating facilities and generation, supply, price, and sale of electricity from these facilities; requiring the Commission to participate in certain federal agency proceedings to protect certain interests; and generally

relating to the purposes of electric restructuring and duties of the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–504, 7–505(a), and 7–509(b)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–509(a)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–510(c)(10)
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 584 – Senators Della, Gladden, and McFadden

AN ACT concerning

Baltimore City – Alcoholic Beverages Act of 2008

FOR the purpose of altering certain alcoholic beverages license fees and establishing new alcoholic beverages license fees in Baltimore City; revising and restating certain alcoholic beverages provisions concerning the issuance and transfer of certain licenses in certain areas of the City; clarifying certain exemptions from the prohibitions against the issuance of new licenses and the transfer of licenses in certain areas of the City; clarifying that certain alcoholic beverages districts be coterminous with the current legislative districting plan; updating certain obsolete references to certain districts, wards, and precincts; requiring the Board of Liquor License Commissioners for Baltimore City to obtain criminal records of applicants for licenses from a certain agency and to forward certain fingerprints to a certain agency; altering the annual salary of the chairman and other members of the Board; altering the number of permanent part-time inspectors that the Board is required to employ; changing the positions and altering the salary grade level for certain Board staff; creating new positions on the Board staff; authorizing each inspector of the Board to examine certain identification used as proof of age; altering certain provisions regarding the registration of bottle clubs by the Board; providing that this Act does not apply to the salary or compensation of the incumbent chairman of the Board of Liquor

License Commissioners for Baltimore City or other members of the Board; defining a certain term; and generally relating to alcoholic beverages in Baltimore City.

BY repealing

Article 2B – Alcoholic Beverages
Section 9–204.1 and 8–403.1(d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 5–101(a)(1), 5–201(a)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–102(a) and (c), 6–201(a)(1) and (d)(1)(i), (2)(i), and (4)(i), 6–301(a)(1), 6–401(a)(1), 8–203(d)(1), 8–403.1(a), 8–508(a), 10–503(d)(1), 11–503(b)(2)(iii), and 15–112(a)(3) and (d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 5–101(d), 5–201(d), 5–301(d), 5–401(d), 6–101(d), 6–102(d), 6–201(d)(1)(ii), (2)(iii), (3)(viii), and (4)(ii), 6–301(d), 6–401(d)(1), 8–203(d)(7), 8–403.1(d)(1), 8–508(c), 9–204.3, 10–301(j)(2), 10–503(d)(3)(i), 11–403(a)(3), 11–503(b)(2)(i) and (ii), 15–109(d)(1), 15–112(d)(9), (11)(vi), and (13), and 20–102
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages
Section 6–201(d)(5) and (6), 8–403.1(d)(1), 9–204.1, 10–103(b)(13)(xiv), 10–502(c), and 15–112(d)(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 585 – Senators Gladden, Jones, and McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Public Safety – Regulated Firearms – Reporting Lost or Stolen

FOR the purpose of requiring certain persons who sell or transfer regulated firearms to notify certain purchasers or recipients at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen regulated firearm to a certain law enforcement agency; requiring the owner of a regulated firearm to report the loss or theft of the regulated firearm to a certain law enforcement agency within a certain period of time after the owner discovers the loss or theft; requiring a law enforcement agency on receipt of a report of a lost or stolen regulated firearm to enter certain information into a certain database; establishing certain penalties; and generally relating to reports of lost or stolen firearms.

BY adding to

Article – Public Safety

Section 5–144

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 586 – Senators Gladden and McFadden (By Request – Baltimore City Administration) and Senator Jones

AN ACT concerning

Public Safety – Restrictions on Possession of Firearms – Conviction of Disqualifying Crime and Protective Order Respondent

FOR the purpose of prohibiting a person from possessing a firearm if the person has been convicted of a certain disqualifying crime or is a respondent against whom a certain protective order has been entered; repealing prohibitions against possession of a regulated firearm by a person who has been convicted of a certain disqualifying crime or is a respondent against whom a certain protective order has been entered; providing that certain penalties apply to a violation under this Act; and generally relating to restrictions on possession of firearms.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–133

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–143

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 587 – Senators Kelley, Conway, Exum, Forehand, Garagiola, Pugh, Raskin, Robey, Rosapepe, and Stone

AN ACT concerning

Real Property – Homeowners Associations and Condominiums – Transition of Control

FOR the purpose of requiring a meeting of the council of unit owners of a condominium to be held within a certain time for a certain purpose; requiring a developer to schedule and provide notice of a certain meeting of unit owners under certain circumstances for a certain purpose; requiring a developer of a condominium to obtain certain resignations; requiring a developer to deliver certain documents, funds, and property to the officers or board of directors for the council of unit owners; prohibiting the officers or board of directors for the council of unit owners from entering into a certain contract that does not contain a clause providing for the termination of the contract under certain circumstances; establishing that an aggrieved unit owner may submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General; requiring a developer to make certain books and records available to a unit owner by a certain time; requiring a developer to turn over certain documents to the council of unit owners on transfer of control by the developer; authorizing the lot owners of a homeowners association to elect the governing body of the homeowners association when a certain percentage of lots are purchased under certain circumstances; requiring a developer to schedule, provide notice of, and hold a certain meeting of lot owners under certain circumstances; requiring a developer of a homeowners association to obtain certain resignations; requiring a developer to deliver certain items to the governing body under certain circumstances; prohibiting the governing body from entering into a certain contract that does not contain a clause providing for the termination of the contract under certain circumstances; establishing that an aggrieved lot owner may submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General; requiring a developer to make certain books and records available to a lot owner by a certain time; defining a certain term; making a stylistic change; and generally relating to the transition of control in a condominium or homeowners association.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11-109(c)(16), 11-116, 11-132, 11B-101, 11B-102(e), and 11B-112(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Real Property
Section 11B–106.1
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 588 – Senators Kelley, Conway, Garagiola, Pugh, Raskin,
Rosapepe, and Stone**

AN ACT concerning

Common Ownership Communities – Fidelity Bond Coverage

FOR the purpose of requiring certain governing or managing bodies of a cooperative housing corporation, condominium, or homeowners association to execute a fidelity bond for certain purposes in a certain amount; prohibiting the total liability of the surety to all insured persons under the bond from exceeding the sum of the bond; establishing that certain unit or lot owners may submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General; and generally relating to execution of fidelity bonds to provide for the indemnification of officers, directors, managing agents, and management companies charged with the operation and maintenance of common ownership communities.

BY adding to

Article – Corporations and Associations
Section 5–6B–18.6
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to

Article – Real Property
Section 11–114.1 and 11B–111.6
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 589 – Senators Kelley, Conway, Exum, Garagiola, Pugh, Raskin,
Rosapepe, and Stone**

AN ACT concerning

**Commercial Law – Common Ownership Communities – Management
Companies**

FOR the purpose of requiring certain management companies that perform certain services for certain common ownership communities to register with the Consumer Protection Division of the Office of the Attorney General; requiring certain management companies to provide the Division certain information and a certain copy of a certain fidelity bond; requiring certain management companies to execute certain fidelity bonds and meet certain other requirements; authorizing the Division to set certain fees for certain purposes; requiring certain management companies to pay certain fees; requiring the Division to pay certain fees to the State Comptroller; requiring the Comptroller to distribute certain fees to a certain fund; establishing a certain fund; providing for the purpose of the fund; requiring the Division to administer the fund; providing that the fund is a special fund, requiring the State Treasurer to hold the fund separately, and requiring the Comptroller to account for the fund; providing for the constitution of the fund; providing for certain uses of the fund; requiring the Treasurer to invest the money of the fund in a certain manner and requiring certain investment earnings to be credited to the General Fund of the State; providing that certain expenditures must be made in accordance with the State budget; providing that the amount of certain fidelity bonds may not be less than certain moneys; requiring certain fidelity bonds to cover certain persons; requiring certain fidelity bonds to be used for certain purposes; requiring certain common ownership communities to secure and pay for certain fidelity bonds; requiring certain management companies to maintain certain accounts under certain circumstances; authorizing the Division to issue certain orders under certain circumstances; providing that certain orders grant certain respondents certain opportunities to request certain hearings and requiring that certain hearings be held within a certain number of days; providing that certain orders are final under certain circumstances; defining certain terms; and generally relating to the registration of management companies who perform services for common ownership communities.

BY adding to

Article – Commercial Law

Section 14-12C-01 through 14-12C-08 to be under the new subtitle “Subtitle 12C. Common Ownership Community Management Companies”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 590 – Senators Pinsky, Brochin, Frosh, Lenett, Raskin, and Rosapepe

AN ACT concerning

Environment – Statute of Limitations

FOR the purpose of altering the statute of limitations for prosecution of and suits for certain violations of certain laws relating to the environment; declaring the intent of the General Assembly; and generally relating to laws relating to the environment.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–106(a) and 5–107
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing
Article – Courts and Judicial Proceedings
Section 5–106(n)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Environment
Section 1–303
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing
Article – Environment
Section 2–610.2, 8–509.1, and 9–343.1
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY renumbering
Article – Courts and Judicial Proceedings
Section 5–106(o) through (bb), respectively
to be Section 5–106(n) through (aa), respectively
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 591 – Senators Pinsky, Currie, Exum, Forehand, Gladden, King, Lenett, Madaleno, Pugh, and Raskin

AN ACT concerning

Higher Education – Tuition Charges – Maryland High School Students

FOR the purpose of establishing that certain individuals, other than certain nonresident individuals, shall be exempt from paying nonresident tuition at

certain public institutions of higher education under certain circumstances; requiring certain individuals to provide certain documentation regarding Maryland income tax withholding; requiring the governing board of each public institution of higher education to adopt certain policies; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY adding to

Article – Education

Section 15–106.7

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 592 – Senator Pinsky

AN ACT concerning

Micro-Breweries – Sales of Malt Beverages to Retail Licensees

FOR the purpose of authorizing a holder of a Class 7 micro-brewery license to sell and deliver malt beverages to retail licensees; limiting the yearly sales to a certain number of barrels of malt beverages that are brewed and bottled at the license location; and generally relating to malt beverages.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–208(c)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 593 – Senators Pinsky, Brochin, Frosh, Jones, King, Madaleno, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

Election Law – Public Campaign Financing Act for Candidates for the General Assembly

FOR the purpose of establishing a system of public financing of campaigns for certain candidates for the General Assembly; establishing an Election Financing Commission to administer the system of public financing of campaigns;

providing for the membership of the Commission and specifying its powers and duties; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; defining certain terms; requiring the Comptroller to distribute certain proceeds from the sale of abandoned property to the Public Election Fund for certain purposes; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; requiring that participating candidates adhere to certain campaign expenditure limits, subject to certain exceptions; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Fund; regulating contributions and expenditures made by political parties on behalf of participating candidates; regulating coordinated expenditures made by or on behalf of participating candidates; specifying certain additional campaign finance reporting requirements for certain candidates and political organizations; authorizing a citizen to bring civil action in court against certain candidates under certain circumstances; providing for judicial review of certain actions by the Commission; providing for certain penalties; specifying the terms of the initial members of the Commission; providing that certain catchlines are not law and may not be considered to have been enacted as part of this Act; requiring the Commission to request a certain determination from the State Comptroller on or before a certain date; requiring the Commission to adopt certain regulations; making provisions of this Act severable; requiring the Election Financing Commission to report to the General Assembly on or before a certain date; providing for a delayed effective date; making this Act subject to a certain contingency; and generally relating to the Public Campaign Financing Act for Candidates for the General Assembly.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 17–317

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–235(d)

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

BY adding to

Article – Election Law

Section 15.5–101 through 15.5–121 to be under the new title “Title 15.5. Public Campaign Financing Act for Candidates for the General Assembly”

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 594 – Senator Haines

AN ACT concerning

Credit Regulation – Mortgage Lending – Prepayment Penalties

FOR the purpose of prohibiting a lender from requiring or authorizing the imposition of a prepayment penalty, fee, premium, or other charge in connection with certain subprime loans; defining certain terms; providing for the application of this Act; and generally relating to mortgage lending.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–105
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 595 – Senators Astle, Della, and Klausmeier

AN ACT concerning

Health Insurance – Carrier Credentialing – Reimbursement of Providers of Health Care Services

FOR the purpose of requiring certain carriers to reimburse providers for certain health care services provided to enrollees on or after a certain date under certain circumstances; and generally relating to credentialing and reimbursement of providers of health care services.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 596 – Senators Brochin, Klausmeier, and Pinsky

AN ACT concerning

Courts – Nonprofit Associations – Standing to Participate in Governmental Proceedings

FOR the purpose of authorizing a certain nonprofit association to institute, defend, intervene, or participate in certain governmental proceedings or forms of alternative dispute resolution under certain circumstances; authorizing a certain nonprofit association to assert a claim in its name on behalf of its members under certain circumstances; requiring a certain unincorporated nonprofit association to designate a resident agent and file a certain written consent of a person to be resident agent with the State Department of Assessments and Taxation before it may participate in certain governmental proceedings; defining a certain term; expressing the intent of the General Assembly; providing for the construction and application of this Act; and generally relating to the standing of a nonprofit association to participate in certain governmental proceedings and forms of alternative dispute resolution under certain circumstances.

BY renumbering

Article – Courts and Judicial Proceedings

Section 6–406.1

to be Section 6–406.2

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 6–406.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 1–208

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 597 – Senators Kramer, Currie, Della, Forehand, Frosh, Jones, King, Madaleno, Middleton, Munson, Pinsky, Robey, Rosapepe, and Zirkin

AN ACT concerning

Recordation and Transfer Taxes – Exemptions – Domestic Partners

FOR the purpose of exempting from recordation tax and State and county transfer taxes certain instruments of writing transferring property between domestic partners and former domestic partners under certain circumstances; requiring the submission of certain documents under certain circumstances to qualify for certain exemptions; defining certain terms; and generally relating to certain exemptions from recordation and transfer taxes.

BY adding to

Article – Tax – Property
Section 12–101(e–1) through (e–5)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 12–108(c) and (d), 13–207(a)(2) and (3), and 13–403
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 598 – Senators Kramer, Frosh, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery General Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$900,000, the proceeds to be used as a grant to the Board of Directors of Montgomery General Hospital, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 599 – Senators Conway, Colburn, Currie, Forehand, Frosh, King, Kramer, Madaleno, McFadden, Pugh, Raskin, Robey, and Stone

AN ACT concerning

Agriculture – Prohibited Acts – Force-Feeding Birds

FOR the purpose of prohibiting a person from force-feeding birds to produce foie gras or hiring another person to engage in force-feeding birds; prohibiting a person from selling, transporting, or offering for sale any product that is the result of

force-feeding birds to produce foie gras; prohibiting certain food service establishments from serving or dispensing certain products that are the result of force-feeding birds; providing for certain penalties for certain violations; defining certain terms; and generally relating to a prohibition on force-feeding birds.

BY adding to

Article – Agriculture
Section 4-218.1
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 600 – Senators Conway, Della, Dyson, Exum, Frosh, Garagiola, Gladden, Kelley, Middleton, Muse, and Stone

AN ACT concerning

Schools – Early Intervention – Hearing and Vision Screenings

FOR the purpose of altering a certain timeframe for when county boards of education and county health departments are required to provide hearing and vision screenings to certain students; requiring county boards of education and county health departments to provide certain forms; requiring certain parents or guardians to report certain information; and generally relating to the provision of hearing and vision screenings in public schools, private schools, and nonpublic educational facilities.

BY repealing and reenacting, with amendments,

Article – Education
Section 7-404
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 601 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code and Public Local Laws and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; validating and ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(q)(6) and 8–404.1(b) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 2–112.2(g)(1)(ii)1.
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing
Article 41 – Governor – Executive and Administrative Departments
Title designation “Title 6. Department of Human Resources”
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 13–510(h)(1)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 11D(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–403(d)
Annotated Code of Maryland
(2007 Replacement Volume)

- BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 14–101
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxi) and 23–101(e)(2)(iii), (iv), and (v)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(o)(4)(i) and (r)(8)(i)3., 3–8A–26, 5–401(b)(1)(iii)1.C., 5–603(b),
7–302(a), and 10–408(g)(4) and (5)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–104(i)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Education
Section 2–205(j)(1), 6–407(c)(5)(iii)1., and 6–504(d)(3)(ii)1.
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Education
Section 7–428(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 478 of the Acts of the General Assembly of 2007)
- BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–207(e), 2–303(a)(1), and 13–305(e)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)
- BY repealing and reenacting, with amendments,
Article – Environment

Section 4-215(d), 4-401(i)(1) and (k), 4-410(b), 4-412(a)(2), 5-101(h)(1),
9-268, and 15-308

Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11-102(b)

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5-401(c)(1)(i), 5-506(e), 5-539(b)(4) and (5), 5-539.1(g)(1) and (h),
5-545(a)(2), 5-1306(1), 10-113(h), and 10-119(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 2-206(c), 2-207(e)(2), 18-215(f)(1), and 19-134(e)(3)(ii)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 17-104(e)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

(As enacted by Chapter 74 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 18-207(b)(2) and (3)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

(As enacted by Chapters 212 and 213 of the Acts of the General Assembly of
2007)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 2-305(b)(3)(i), 7-205(a)(9), 7-601, and 15-206(b)(2)(ii)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 2–310.1(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 391 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 7–101(a) and the title “Title 7. Morticians and Funeral Directors”;
7–201 and the subtitle “Subtitle 2. State Board of Morticians and Funeral
Directors”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202(b)(1)(iii)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 544 of the Acts of the General Assembly of 2007)

BY repealing
Article – Health Occupations
Section 20–101(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–115(d)(11)(iii)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–606(1)(iii) and 14–609(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 629 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–607(b)(1)(iv)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 471 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 9–234(r)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–702(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301.1(c)(3)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–105(d)(3)(i), 11–136(a)(1) and (e), and 14–125.2(a)(3)(iii)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–108.1(a)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 286 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–315(f)(2)(iv), 18–102(a)(1), 18–103(c)(2), 19–107(a) and (d)(2)(ii), and
19–110(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–03(b)(2)(i), 8–403(b), 9–802(h)(4), 15–704(c)(1), and 15–705(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34–101(i)
Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 355 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 37–203.1(b)(3)(i)1.
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1103, 10–207(c–1)(1)(i), 10–704.3(g), 13–901(f)(1)(ii)3. through 5., and
13–1001(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–211(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
Special Session)

BY adding to
Article – Tax – General
Section 13–901(f)(1)(ii)6.
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 1–101(x)(3), 7–511(b)(1), and 14–1009(a)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–246(a)
Annotated Code of Maryland
(2007 Replacement Volume)
(As enacted by Chapters 558 and 559 of the Acts of the General Assembly of
2007)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312(a)(1), 7–1003(3)(ii), and 8–402(b)(4)

Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(a)(4)(ii)3. and 23–202(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 636 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2–13–13(a)
Article 11 – Public Local Laws of Maryland
(2004 Edition and November 2007 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

Senate Bill 602 – Senator Pinsky

AN ACT concerning

Direct Billing of Anatomic Pathology Services

FOR the purpose of requiring certain clinical laboratories and physicians that provide anatomic pathology services to certain patients to present or cause to be presented claims, bills, or demands for payment to certain individuals and entities; prohibiting certain health care practitioners from directly or indirectly charging, billing, or otherwise soliciting payment for certain anatomic pathology services unless the services are performed by or under the direct supervision of the health care provider and in accordance with the provisions of a certain federal act; providing that certain individuals and entities are not required to provide reimbursement under certain circumstances; providing that this Act does not prohibit a referring laboratory from billing for certain anatomic pathology services under certain circumstances; providing that this Act may not be construed to mandate the assignment of certain benefits for anatomic pathology services; defining certain terms; and generally relating to direct billing of anatomic pathology services.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1–301(a), (d), (f), (h), and (l)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health Occupations
Section 1–306
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 1–306
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 603 – Senators Pugh, Conway, Forehand, Gladden, King, Madaleno, McFadden, Miller, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, and Stone

AN ACT concerning

Maryland Automobile Insurance Fund – Acceptance of Premiums on Installment Basis

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis; providing for the application of this Act; and generally relating to accepting premiums on an installment basis on policies issued by the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 20–101(a) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 20–507
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 604 – Senator Pugh

AN ACT concerning

**Commercial Law – Maryland Gasohol and Gasoline Products Marketing Act –
Marketing Premises**

FOR the purpose of prohibiting a producer or refiner under the Maryland Gasohol and Gasoline Products Marketing Act from selling, transferring, or assigning to another person the producer's or refiner's fee simple or leasehold interest in certain premises leased to a dealer unless the producer or refiner makes certain offers of the producer's or refiner's interest to the dealer; defining certain terms; providing for the application of this Act; and generally relating to the Maryland Gasohol and Gasoline Products Marketing Act.

BY renumbering

Article – Commercial Law

Section 11–301(k)

to be Section 11–301(m)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 11–301(a) and 11–304(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Commercial Law

Section 11–301(k) and (l) and 11–304(n)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 605 – Senators Pugh, Kelley, and Klausmeier

AN ACT concerning

Maryland Not–For–Profit Development Center Program

FOR the purpose of establishing the Maryland Not–For–Profit Development Center Program in the Department of Business and Economic Development; requiring the Program to provide certain training and technical assistance services to not–for–profit entities; establishing the Maryland Not–For–Profit Development Center Program Fund; establishing certain moneys and fees to be distributed to the Fund; providing for the purpose of the Fund; requiring the Department to designate a certain number of organizations to implement the Program and providing certain criteria for the designations; defining certain terms;

increasing the amount of a certain processing fee paid by certain nonstock corporations under certain circumstances and requiring a portion of the processing fee to be credited to the Fund; and generally relating to the Maryland Not-For-Profit Development Center Program.

BY adding to

Article – Economic Development

Section 5–1201 through 5–1205 to be under the new subtitle “Subtitle 12. Maryland Not-For-Profit Development Center Program”

Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. ____)(8lr0698) of the Acts of the General Assembly of 2008)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 1–203(a), (b)(10), and (d)

Annotated Code of Maryland

(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1–203(b)(1)

Annotated Code of Maryland

(2007 Replacement Volume)

BY adding to

Article – Corporations and Associations

Section 1–203(b)(11) and (e)

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Finance and the Committee on Judicial Proceedings.

Senate Bill 606 – Senators Pugh, Jones, Conway, Currie, Exum, Frosh, Gladden, Kelley, King, Madaleno, McFadden, Middleton, Muse, and Raskin

AN ACT concerning

State Government – Brokerage and Investment Banking Services – Use of Minority Business Enterprises

FOR the purpose of requiring certain State entities responsible for the management of certain funds to attempt to use to a certain extent minority business enterprise brokerage and investment banking firms; requiring the entities to undertake steps to remove any barriers that limit participation by minority business

enterprises in certain brokerage and investment banking opportunities; requiring the entities to adopt certain guidelines; requiring the entities to submit a certain annual report to certain persons on certain matters relating to minority business enterprise brokerage and investment banking firms; and generally relating to the use of minority business enterprise brokerage and investment banking firms for certain purposes by certain State entities.

BY repealing and reenacting, without amendments,
Article 95 – Treasurer
Section 22G(a), (b), (h), and (j)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–303
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–122
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–222
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–116
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

Senate Bill 607 – Senators Pugh and McFadden (By Request – Baltimore City Administration) and Senators Gladden and Jones

AN ACT concerning

Children – Records – Access by the Baltimore City Health Department

FOR the purpose of extending the termination date for certain provisions of law relating to certain records and reports concerning children and access by the Baltimore City Health Department; authorizing access to certain court records and police records by the Baltimore City Health Department under certain circumstances; requiring the State Department of Education to disclose to the Baltimore City Health Department certain records concerning certain children under certain circumstances; requiring the Baltimore City Health Department to keep certain information confidential; providing that the Baltimore City Health Department shall be liable for the unauthorized release of certain information; requiring the Baltimore City Health Department to submit certain reports under certain circumstances; requiring that certain records and reports concerning child abuse and neglect be disclosed to the Baltimore City Health Department under certain circumstances; requiring the Department of Juvenile Services to disclose to the Baltimore City Health Department certain records concerning certain children under certain circumstances; requiring the Department of State Police to provide to the Baltimore City Health Department certain information concerning certain children under certain circumstances; defining a certain term; and generally relating to records concerning children and access by the Baltimore City Health Department.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–827(a) and 3–8A–27(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 2–107
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(b) and 9–219(f)
Annotated Code of Maryland
(2007 Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–308(d)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 10 of the Acts of the General Assembly of 2006
Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 608 – Senators Garagiola, Astle, DeGrange, Dyson, Lenett, Mooney, Peters, Raskin, Simonaire, and Stone

AN ACT concerning

**Education – Veterans of the Afghanistan and Iraq Conflicts
Scholarship – Extension**

FOR the purpose of extending the date by which the Office of Student Financial Assistance may award an initial Veterans of the Afghanistan and Iraq Conflicts Scholarship; extending the date by which the Office may renew a Veterans of the Afghanistan and Iraq Conflicts Scholarship under certain circumstances; making certain technical changes; and generally relating to the Veterans of the Afghanistan and Iraq Conflicts Scholarship.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–604
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 609 – Senator Simonaire

AN ACT concerning

Family Law – Child Custody and Visitation – Change of Child’s Permanent Residence

FOR the purpose of repealing a certain provision of law authorizing a court to require a certain notice of intent to relocate as a condition of a custody or visitation order; establishing that a child who is the subject of a certain custody order has a permanent residence with each party to the order for purposes of a certain provision of law; prohibiting a party to a certain order from changing the permanent residence of a child by a certain distance without the consent of the other party or the court’s approval; requiring certain notification prior to a certain permanent residence change; requiring the court to consider certain factors and the best interests of the child before approving a certain permanent residence change; requiring the court in any custody or visitation proceeding to include a certain provision in a certain order; providing exceptions to the notification and approval requirement; and generally relating to child custody and visitation.

BY repealing

Article – Family Law

Section 9–106

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Family Law

Section 9–106

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 610 – Senators Frosh, Dyson, Forehand, Kramer, Madaleno, Raskin, and Stone

AN ACT concerning

Vehicle Laws – Violations by Drivers Under the Age of 18 Years – Driver’s License Suspensions

FOR the purpose of requiring a certain court to order the Motor Vehicle Administration to initiate an action to suspend the driving privilege of a child for certain periods of time, on making a finding that the child has committed certain violations relating to alcoholic beverages, leaving the scene of an accident, and fleeing or eluding a police officer; prohibiting the Administration from issuing restricted licenses to individuals whose driver’s licenses are suspended under certain circumstances; requiring the Administration to retain certain reports of certain violations relating to leaving the scene of an accident and fleeing or eluding a police officer; requiring the Administration to suspend a child’s license to drive for a certain period of time on notification by the clerk of the court that the child has been adjudicated delinquent for certain violations relating to leaving the scene of an accident or fleeing or eluding a police officer, or that certain findings were made that a child committed certain violations relating to leaving the scene of an accident or fleeing or eluding a police officer; providing that a suspension imposed under certain circumstances is to be consecutive to a certain other suspension; requiring the Administration to suspend the driver’s license of the holder of a provisional driver’s license who is under a certain age if the individual accumulates a certain number of points in a certain time period; authorizing an individual to request a hearing on certain suspensions or revocations of driver’s licenses under certain circumstances; establishing that a holder of a provisional driver’s license who is under a certain age is guilty of the offense of high-risk driving if the holder commits certain violations of the Maryland Vehicle Laws; requiring the Administration to suspend the driver’s license of a certain individual for a certain period of time if

the Administration receives satisfactory evidence of the commission of a certain high-risk driving violation; establishing that a driver's license suspension imposed for high-risk driving is separate from any other penalty imposed for a certain violation and consecutive to any other suspension imposed for a certain violation; extending the duration of a certain prohibition against a certain holder of a provisional driver's license driving with certain passengers under a certain age; and generally relating to the driver's licenses of minors.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3-8A-01(j), 3-8A-03(d)(2), and 3-8A-19(e)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3-8A-19(e)(1) and 3-8A-23(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16-206(b), 16-404, and 21-1123
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 21-905
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 611 – Senator Pipkin

AN ACT concerning

Health Insurance – Provider Contracts – Conditions of Participation with Carriers

FOR the purpose of repealing a prohibition that certain health insurance carriers may not require a health care provider to serve on a provider panel of another health benefit plan of the carrier under certain circumstances; repealing a certain exception to the prohibition for a carrier that offers health care services as a managed care organization; prohibiting a provider contract from containing a provision that requires a provider, as a condition of participation with a carrier,

to participate with a different carrier; authorizing a provider contract to contain the prohibited provision under certain circumstances; authorizing a carrier that offers health care services as a managed care organization to require a provider to participate with the managed care organization under certain circumstances; providing that a carrier is responsible for certain violations regardless of whether the carrier has subcontracted with certain entities; defining certain terms; and generally relating to provider contracts and conditions of participation of health care providers with health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 612 – Senators Lenett, Dyson, and Middleton

AN ACT concerning

**Procurement – Preference Procurement Program for Sheltered Workshops –
Individual With Disability Owned Businesses**

FOR the purpose of expanding eligibility in the preference procurement program for sheltered workshops within the Department of General Services to include a specified entity; defining the entity and specifying requirements for the entity to qualify to participate in the program; requiring a specified committee to establish and review specified eligibility guidelines for participation in the program; requiring the committee to maintain and periodically review and revise a specified list of entities eligible for the program; and generally relating to the preference procurement program for sheltered workshops and individual with disability owned businesses.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 14–101, 14–103, 14–106, 14–107, and 14–108
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 613 – Senator Munson

AN ACT concerning

City of Hagerstown – Fire and Explosives Investigators – Authority

FOR the purpose of providing that under certain circumstances, a City of Hagerstown fire and explosive investigator operating in the City of Hagerstown has the same authority as the State Fire Marshal and a full-time investigative and inspection assistant in the Office of the State Fire Marshal to make arrests without a warrant and to exercise certain powers of arrest; authorizing a City of Hagerstown fire and explosive investigator to exercise certain authority while operating outside the City of Hagerstown under certain circumstances; authorizing the City of Hagerstown Fire Chief to limit certain authority of a fire and explosive investigator to make an arrest without a warrant or exercise certain powers of arrest; requiring the City of Hagerstown Fire Chief to express the limitation in writing; excluding a City of Hagerstown fire and explosive investigator from the definition of “law enforcement officer” under the law relating to the Law Enforcement Officers’ Bill of Rights; including a City of Hagerstown fire and explosive investigator in the definition of “police officer” in connection with provisions of law relating to the Maryland Police Training Commission and in the definition of “law enforcement official” in connection with the authorized carrying of a handgun by a person engaged in law enforcement; defining certain terms; requiring the Maryland Police Training Commission to certify certain fire and explosive investigators as police officers by a certain date under certain circumstances; and generally relating to the authority of the City of Hagerstown fire and explosive investigators.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 4–201(a)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 4–201(d)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–208
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–208.5
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(e)(2)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 614 – Senator Raskin

AN ACT concerning

Death Penalty – Maryland Commission on Capital Punishment

FOR the purpose of establishing a Maryland Commission on Capital Punishment; providing for the membership of the Commission; providing for the chair of the Commission; authorizing the Commission to hold public hearings; providing for the staffing of the Commission; requiring certain entities to cooperate with the Commission; providing for the funding of the Commission; providing that a member of the Commission may not receive compensation but is entitled to certain reimbursement; establishing the duties of the Commission; requiring the Commission to make a certain report by a certain date; defining a certain term; providing for the construction of this Act; providing for the termination of this Act; and generally relating to the death penalty.

BY adding to
Article – Correctional Services
Section 3–910

Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 615 – Senators Raskin, Forehand, and Stone

AN ACT concerning

Stalking and Domestic Violence – Cruelty Toward a Pet or Service Animal

FOR the purpose of altering a certain definition of “stalking” to include a malicious course of conduct that puts another person in reasonable fear that a certain pet or service animal likely will suffer cruelty or aggravated cruelty; authorizing a District Court Commissioner, in a certain interim protective order, and a judge in a temporary protective order or final protective order, to order a respondent to remain away from a certain pet or service animal, to refrain from cruelty or aggravated cruelty toward the pet or service animal, or in certain circumstances, to give the pet or service animal to a certain person; providing certain penalties for failure to comply with certain relief ordered in a certain interim protective order, temporary protective order, or final protective order; amending a certain definition; defining certain terms; and generally relating to stalking and domestic violence and cruelty toward a pet or service animal.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–802

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 10–601(a), (b), and (c), 10–604(a), and 10–606(a)

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 4–501(a) and (l)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–501(m), (n), (o), (p), (q), and (r), 4–504.1(c)(7) and (8), 4–505(a)(2)(vi)
and (vii), 4–506(d)(12) and (13), and 4–509(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Family Law

Section 4–501(m) and (q), 4–504.1(c)(9), 4–505(a)(2)(viii), and 4–506(d)(14)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 616 – Senators Raskin, Astle, Forehand, Frosh, Garagiola, Gladden, Glassman, Jacobs, Kelley, King, Lenett, Madaleno, and Pugh

AN ACT concerning

Alcoholic Beverages – Direct Wine Shipper’s License

FOR the purpose of repealing provisions that provide for a direct wine seller’s permit; establishing a direct wine shipper’s license to be issued by the Office of the Comptroller to certain persons in or outside of the State; requiring a person to be licensed before the person may engage in shipping wine directly to a resident in the State; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from performing certain actions; providing for the qualifications and requirements of license applicants; providing for the fee and renewal of a license; specifying certain requirements and conditions to receive a direct shipment of wine; authorizing the Office of the Comptroller to adopt certain regulations; prohibiting a person without a license from shipping wine directly to consumers in the State; providing a certain penalty; defining certain terms; altering certain definitions; and generally relating to the establishment of a direct wine shipper’s license.

BY repealing

Article 2B – Alcoholic Beverages

Section 7.5–101 through 7.5–110 and the title “Title 7.5. Direct Wine Seller’s Permit”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 7.5–101 through 7.5–110 to be under the new title “Title 7.5. Direct Wine Shipper’s License”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 5–101(f) and 5–201(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 617 – Senators Raskin, Rosapepe, Conway, Frosh, Gladden, Kelley, Lenett, Madaleno, Muse, Pinsky, Robey, and Stone

AN ACT concerning

Higher Education – Collective Bargaining – Adjunct Faculty and Graduate Student Employees

FOR the purpose of providing collective bargaining rights to adjunct faculty and graduate students in certain public institutions of higher education; altering certain exceptions; establishing separate collective bargaining units for certain adjunct faculty and certain graduate students; defining a certain term; and generally relating to collective bargaining for employees of public institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–101, 3–102, and 3–403(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 618 – Senators Jones, Exum, Pinsky, and Pugh

AN ACT concerning

Property Tax – Homeowners’ Property Tax Credit and Renters’ Property Tax Relief

FOR the purpose of altering the eligibility requirements for renters’ property tax relief; altering the computation of certain property tax relief and credits; altering the maximum amount of certain property tax relief provided to certain renters; altering the minimum amount of certain property tax relief and credits that may be granted; providing for the application of this Act; and generally relating to homeowners’ property tax credit and certain renters’ property tax relief.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–102(a)(9), (h), and (i) and 9–104(h) and (k)(2)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 619 – Senators Jones, Brochin, Frosh, and Stone

AN ACT concerning

Income Tax – Credit to Offset Increased Sales Tax

FOR the purpose of allowing certain individuals having income not exceeding certain levels to claim a credit against the State income tax in certain amounts; providing for refundability of the credit; providing that certain individuals are ineligible for the tax credit; providing for the calculation of the credit for a nonresident or part–year resident; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain individuals having income not exceeding certain levels.

BY adding to
Article – Tax– General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 620 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title or other defects; altering the minimum amount of capital investment for restaurant facilities required for the issuance of a certain beer, wine and liquor license for use by a restaurant in Baltimore City or Baltimore County; expanding the relief available for certain discriminatory acts in an administrative proceeding under the Maryland Human Relations Commission law; repealing a certain limitation on certain monetary relief for certain discriminatory acts under the Maryland Human Relations Commission law; requiring the Department of Health and Mental Hygiene to distribute grants to administer the Charles County Prostate Cancer Pilot Program to the local health department or a federally qualified health center in Charles County; providing that the proceedings, records, and files of a certain organization or State agency are confidential and not discoverable or admissible in a civil or criminal action; requiring the Secretary of Health and Mental Hygiene to develop and distribute a certain document that informs employees of forensic laboratories of certain procedures; requiring a forensic laboratory to post the document in a certain place; providing that the dependents of certain individuals eligible for workers' compensation benefits under certain provisions of law are entitled to receive workers' compensation benefits in addition to certain retirement benefits, subject to a certain limitation; requiring the Governor to make certain appointments on or before a certain date; requiring the Washington County Commissioners to present a certain plan to the members of the General Assembly representing the county on or before a certain date; requiring the plan to establish certain goals; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title or other defects in order to validate those Acts.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–102(b–3A)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article 49B – Human Relations Commission
Section 11
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 5–1805(a) and (b)

Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18–301
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–2606, 17–2A–03(c), and 17–2A–10(d) and (e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–316(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–503
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter
86 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02(AS)

BY repealing and reenacting, without amendments,
Chapter 147 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, without amendments,
Chapter 392 of the Acts of the General Assembly of 2007
Section 11

Read the first time and referred to the Committee on Rules.

**Senate Bill 621 – Senators Brinkley, Brochin, Colburn, Dyson, Edwards,
Glassman, Greenip, Haines, Jacobs, Kittleman, Klausmeier, Mooney,
Munson, Pipkin, Stoltzfus, and Stone**

AN ACT concerning

Vehicle Laws – Drivers’ Licenses – Lawful Presence in United States

FOR the purpose of prohibiting the Motor Vehicle Administration from issuing a driver’s license to an individual who cannot provide certain documentation certifying that the individual is either a United State’s citizen or is lawfully present in the United States in accordance with federal law; and generally relating to drivers’ licenses and legal presence in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 622 – Senators Brinkley, Colburn, Haines, Kittleman, and Mooney

AN ACT concerning

Business Regulation – Stationary Engineers – Boilers

FOR the purpose of altering the types of boilers certain stationary engineers may oversee; defining certain terms; and generally relating to stationary engineers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6.5–101 and 6.5–302
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 623 – Senators Rosapepe, Brochin, Colburn, Currie, DeGrange, Dyson, Exum, Forehand, Frosh, Garagiola, Jones, King, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin

AN ACT concerning

Tuition Cap and College Opportunity Act of 2008

FOR the purpose of requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the Maryland Higher Education Commission to calculate, on or before a certain

date each year, the funding guideline for the constituent institutions of the University System of Maryland and for Morgan State University; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; limiting, to no more than a certain percent for certain academic years, the amount of the annual increase in tuition that may be charged each academic year to a resident undergraduate student at certain public senior higher education institutions in Maryland; providing that a certain tuition limitation only applies if certain institutions receive a certain General Fund appropriation and the Board of Public Works does not reduce the funding of certain institutions; declaring the intent of the General Assembly; defining certain terms; and generally relating to State support for and tuition at public senior higher education institutions in Maryland.

BY repealing and reenacting, with amendments,

Article – Education

Section 10–101

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 10–203(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Education

Section 11–108, 12–117, and 15–106.7

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 624 – Senators Rosapepe, Brochin, Forehand, Frosh, Garagiola, Jones, Lenett, Madaleno, Peters, Pinsky, Raskin, Robey, and Zirkin

AN ACT concerning

Election Law – Maryland Student Voting Rights Act of 2008

FOR the purpose of requiring certain institutions of higher education to develop a certain plan to promote student involvement in the electoral process; requiring certain institutions of higher education to provide certain students with the

opportunity to register to vote or to update a voter registration record; making the implementation of certain requirements contingent on the appropriation of certain funds in the State budget; requiring the State Board of Elections to post certain information on its website regarding voting units for each election; altering the standard for determining the area at certain polling places beyond which electioneering may not take place; requiring a local board of elections to mail an absentee ballot to a qualified voter by a certain date; requiring the State Board to conduct certain reviews and evaluations and submit certain reports to the General Assembly by certain dates; and generally relating to the Maryland Student Voting Rights Act of 2008.

BY adding to

Article – Election Law
Section 1–305
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 3–204, 9–306, 10–302, and 16–206
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 625 – Senator Muse

AN ACT concerning

Income Tax – Subtraction Modification – Military Retirement Income

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income; providing for the application of this Act; providing for a delayed effective date; and generally relating to the State income tax of certain retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 626 – Senator Muse

EMERGENCY BILL

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Convention Center License

FOR the purpose of establishing a Class B–CC (convention center) beer, wine and liquor license in Prince George’s County; specifying that a license may be issued only to a certain establishment that is equipped with certain rooms and facilities; providing for an annual license fee; requiring that the total average daily receipts from certain sources exceed the average daily receipts from the sale of alcoholic beverages; specifying certain hours of sale; authorizing the sale of alcoholic beverages from locked, prestocked private bars under certain circumstances; authorizing the sale of alcoholic beverages and dancing and live entertainment throughout the licensed establishment; specifying that this Act does not preclude a license holder from having an interest in certain other licenses; providing for certain exceptions to certain licensing restrictions; making this Act an emergency measure; and generally relating to the Class B–CC (convention center) alcoholic beverages license in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i) and 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(16)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(d)(6), 9–102(a), and 9–217(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 627 – Senator Muse

AN ACT concerning

Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration Office in Legislative District 26

FOR the purpose of establishing a Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration Office in Legislative District 26; providing for the composition of the Task Force; requiring the Motor Vehicle Administrator to designate two cochairs of the Task Force in a certain manner; requiring the Motor Vehicle Administration to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; entitling a member of the Task Force to reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding the feasibility of establishing a Motor Vehicle Administration office in legislative district 26 and to include an assessment of certain operating and capital costs and certain persons' needs for the office; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to establishing a Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration Office in Legislative District 26.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 628 – Senators Jacobs, Colburn, Harris, and Munson

AN ACT concerning

Criminal Procedure – Legal Residency Status – Sentencing and Parole Considerations

FOR the purpose of authorizing a hearing examiner or commissioner determining whether an inmate is suitable for parole, or the Maryland Parole Commission before entering into a predetermined parole release agreement, to consider whether the prisoner is lawfully present in the United States under federal law; authorizing an examiner, commissioner, or the Commission to make inquiry into whether a certain prisoner would be legally subject to deportation from the United States while on parole; authorizing an examiner, commissioner, or the Commission to decline parole based on certain considerations; authorizing a court in determining whether to suspend all or any part of a sentence of confinement or place a defendant on probation in a criminal case, to make inquiry into whether the person to be sentenced or placed on probation is lawfully present in the United States under federal law; authorizing the court to make inquiry into whether the person to be sentenced or placed on probation would be legally subject to deportation from the United States while on a suspended sentence or probation; authorizing the court to decline to suspend a

sentence or place a defendant on probation based on certain considerations; and generally relating to legal residence, sentencing, and parole.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–305
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–233
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 629 – Senator Jacobs

AN ACT concerning

Criminal Procedure – Offender Registry – Retroactivity

FOR the purpose of providing that certain provisions requiring the registration on a certain offender registry of certain persons convicted of committing certain offenses are to be applied retroactively to include a person convicted on or after a certain date of an offense committed before a certain date; and generally relating to the offender registry.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–702.1
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 630 – Senator Jacobs

AN ACT concerning

Office of the State Prosecutor – Subpoena Authority

FOR the purpose of authorizing the State Prosecutor to issue subpoenas for the attendance of witnesses and the production of evidence when the State Prosecutor investigates or prosecutes a case under certain circumstances; specifying the rights of a person served with a certain subpoena and the requirements the State Prosecutor must meet when a subpoena is served; authorizing the State Prosecutor to report the failure of a person to obey a subpoena; authorizing a court to grant relief under certain circumstances; and generally relating to the State Prosecutor.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 14–110

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

(As enacted by Chapter ___ (S.B. 37) of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 631 – Senators Jacobs and Kittleman

AN ACT concerning

Department of Health and Mental Hygiene – Umbilical Cord Blood Banking – Educational Publication

FOR the purpose of requiring a hospital to allow a pregnant patient to arrange for the donation of umbilical cord blood to a public or private cord blood bank under specified circumstances; requiring the Department of Health and Mental Hygiene, in consultation with certain groups, to develop an educational publication; specifying the content of the publication; requiring the Department to update and distribute a certain publication; requiring providers of obstetrical services to distribute a certain publication under specified circumstances; making a certain exception; providing that certain providers of obstetrical services may not be subject to certain discipline; prohibiting the creation of a certain cause of action; requiring the Department to complete the development of a certain publication by a certain date; and generally relating to the development of an educational publication concerning the banking of umbilical cord blood.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–308.7

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 632 – Senators Jacobs, Forehand, Jones, Kelley, Kittleman, Kramer, McFadden, Munson, Muse, Pugh, Raskin, and Stone

AN ACT concerning

Social Services Administration – Children Subject to Threatened Injury – Identification and Notice

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to allow the disclosure of certain birth records data to the Executive Director of the Social Services Administration in the Department of Human Resources; requiring the Executive Director to use certain birth records data and certain data from the child abuse or neglect central registry to identify certain children who may be subject to threatened injury by a certain individual; requiring the Executive Director to identify a certain child as subject to threatened injury if the individual responsible for the child's care meets certain criteria; requiring the Administration to send a certain notice to a certain local department in certain circumstances; defining a certain term; and generally relating to the Social Services Administration and children subject to threatened injury.

BY adding to

Article – Health – General
Section 4–222
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Family Law
Section 5–715
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 633 – Senator Jacobs

AN ACT concerning

Criminal Law – Property Used in Gang Activity – Seizure and Forfeiture

FOR the purpose of authorizing the seizure of certain property used or intended for use in connection with criminal gang activity; establishing certain procedures to be followed for the forfeiture of certain property; establishing certain deadlines for the filing of a complaint seeking forfeiture; requiring that the complaint

contain certain information; providing for service of a certain summons and complaint; requiring a certain notice; establishing certain requirements for the answer to a complaint seeking forfeiture; requiring the court to set a hearing on the forfeiture claim within a certain time period; authorizing the court to order forfeiture without a hearing under certain circumstances; providing that a certain owner's interest in real property may be forfeited under certain circumstances; providing for the jurisdiction and notice of forfeiture proceedings for real property; establishing a certain rebuttable presumption; providing certain exceptions for real property used as a principal family residence; authorizing the court to take certain actions in a forfeiture proceeding; requiring the court to order certain actions depending on the court's determination after a full hearing; requiring a certain lienholder to sell a certain property and apply the proceeds in a certain manner; providing procedures for the disposition of forfeited property or proceeds; providing that a sale of certain property shall be for cash and give the purchaser clear and absolute title; defining certain terms; and generally relating to seizure and forfeiture of property used in criminal gang activity.

BY adding to

Article – Criminal Law
Section 9–805
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to

Article – Criminal Procedure
Section 13–401 through 13–416 to be under the new subtitle “Subtitle 4.
Violations of Criminal Gang Law”
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 634 – Senators Jacobs, Klausmeier, Mooney, Munson, and Stone

AN ACT concerning

Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders

FOR the purpose of excluding from the jurisdiction of juvenile court a child of at least a certain age alleged to have committed, as a member of a criminal gang, a certain act that would be a crime if committed by an adult; providing for the application of this Act; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 3-8A-03(d)(4)(xvi) and (xvii)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 3-8A-03(d)(4)(xviii)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 9-802, 9-803, and 9-804
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 635 – Senators Jacobs, Klausmeier, Mooney, Munson, and Stone

AN ACT concerning

Real Property – Criminal Gangs – Abatement of Nuisance

FOR the purpose of establishing that the use of real property by members of a certain criminal gang in the furtherance of certain criminal gang activity is a nuisance that may be the subject of a certain action for abatement; and generally relating to the use of real property by criminal gangs.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 9-801(a), (c), (d), and (f), 9-802, 9-803, and 9-804(a), (b), and (c)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 14-120(a)(5)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 636 – Senators Jacobs, Klausmeier, Munson, and Stone

AN ACT concerning

Criminal Law – Definition of “Criminal Gang”

FOR the purpose of altering the definition of “criminal gang” to include any association of a certain number of persons meeting certain criteria; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801(c)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 637 – Senators Jacobs, Haines, Mooney, Munson, and Stone

AN ACT concerning

Criminal Law – Criminal Gang Participation – Sentencing

FOR the purpose of altering a provision of law to require that a certain sentence for a violation of the prohibition against participation in a criminal gang under certain conditions be separate from and consecutive to a sentence for the underlying crime; and generally relating to sentencing for criminal gang participation.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–804(a) and (b)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–804(c)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 638 – Senator Jacobs

AN ACT concerning

Drunk and Drugged Driving – Refusal to Take a Blood or Breath Test – Prohibition

FOR the purpose of prohibiting a person who is detained for certain alcohol- or drug-related driving offenses from knowingly refusing to take a certain blood or breath test if the person was detained previously for certain alcohol- or drug-related driving offenses and refused to take a certain blood or breath test; providing for certain criminal penalties; and generally relating to establishing a criminal offense of refusal to take a certain blood or breath test under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21-902 and 27-101(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Transportation
Section 21-902.2 and 27-101(bb)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 639 – Senators Jacobs, Klausmeier, Mooney, Munson, and Stone

AN ACT concerning

Courts – Evidence – Existence of or Membership in a Criminal Gang

FOR the purpose of establishing that certain evidence is probative of the existence of or membership in a criminal gang; authorizing the admissibility of certain evidence in a civil or criminal proceeding to prove the existence of or membership in a criminal gang; and generally relating to the admissibility of evidence relating to a criminal gang.

BY adding to
Article – Courts and Judicial Proceedings
Section 10-922
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9-801(a) and (c)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 640 – Senators Jacobs, Klausmeier, Mooney, Munson, and Stone

AN ACT concerning

Criminal Law – Criminal Gangs – Underlying Crime

FOR the purpose of altering the definition of “underlying crime” as used in certain provisions of law concerning criminal gang offenses to include misdemeanor assault, malicious destruction, human trafficking, receiving earnings of a prostitute, and betting, wagering, and gambling; and generally relating to criminal gangs.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–801(a)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801(f)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 641 – Senators Jacobs, Klausmeier, Mooney, Munson, and Stone

AN ACT concerning

Criminal Gang Activity – Financial Transactions – Penalty

FOR the purpose of prohibiting a person from receiving certain proceeds and using or investing a certain amount of those proceeds in the acquisition of certain property or establishment or operation of a criminal gang; prohibiting a person from directly acquiring, maintaining an interest in, or asserting control of a criminal gang through a pattern of criminal gang activity; prohibiting a person from engaging in a certain money transmission with certain proceeds; establishing certain penalties; providing that a person sentenced for a violation of certain provisions of this Act is not eligible for parole; requiring that a sentence imposed under this Act be separate from and consecutive to a sentence for any crime based on the act establishing the violation; and generally relating to criminal gang activity.

BY adding to
Article – Criminal Law

Section 9-805, 9-806, and 9-807
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 642 – Senators Gladden and McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Procedure – Restrictions on Pretrial Release – Offenses Involving Firearms – Repeat Offenders

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain offense involving a firearm if the defendant previously was convicted of a certain offense involving a firearm; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail or certain other conditions or both; requiring a judge to order the continued detention of a certain defendant under certain circumstances at a certain time; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; and generally relating to restrictions on pretrial release.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5-202
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 643 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Girl Scout Urban Program and Training Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Girl Scouts of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 644 – Senators Pugh, Conway, Gladden, Glassman, Jones, and Stone

AN ACT concerning

Baltimore Regional Transportation Authority Study Task Force

FOR the purpose of establishing the Baltimore Regional Transportation Authority Study Task Force to consider certain transportation-related issues and make recommendations regarding the creation of a certain independent transportation authority for a certain region of the State; providing for the membership of the Task Force; requiring the Task Force to report to the Governor and the General Assembly on or before a certain date; providing for the effective date of this Act; providing for the termination of this Act; and generally relating to the Baltimore Regional Transportation Authority Study Task Force.

Read the first time and referred to the Committee on Finance.

Senate Bill 645 – Senators Gladden, Conway, Currie, Exum, Frosh, Jones, Kelley, King, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, and Raskin

AN ACT concerning

Criminal Law – Death Penalty – Repeal

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that certain inmates who have been sentenced to death may not be executed and shall be considered as having received a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that in certain cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible persons for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing

Article – Correctional Services

Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”

Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After
Death Sentences”; 8–108 and 11–404

Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 5–101(c), 7–101, 7–103(b), and 7–107(b)

Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–201(b), 2–304(a), 2–305, and 14–101

Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing

Article – Criminal Law

Section 2–202, 2–301, and 2–303; and 2–401 and the subtitle “Subtitle 4.
Review by Court of Appeals”

Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–505(b)

Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 646 – Senators Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management Services

FOR the purpose of authorizing a person that is not a nonprofit organization to provide debt management services in the State; requiring a person that is licensed to provide debt management services to provide a certain notice to a consumer and to make certain determinations before providing debt management services for a consumer; altering certain requirements for a debt management services license; altering the information that must be included in a certain annual report to the Commissioner of Financial Regulation; altering the records that must be preserved by a licensee; altering certain definitions; repealing a certain defined term; making conforming changes; and generally relating to debt management services.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 12–901, 12–905(a), 12–907(a), 12–908(b)(11), 12–916(a)(1),
12–921(a), and 12–922(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Financial Institutions

Section 12–908(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

BY adding to

Article – Financial Institutions

Section 12–916(a)(3)

Annotated Code of Maryland

(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 647 – Senators Kasemeyer, King, Middleton, Pugh, and Rosapepe

AN ACT concerning

Education – Funding Formula for Adult Education and Literacy Grants

FOR the purpose of requiring the State Department of Education to provide competitive adult education grants beginning in a certain fiscal year for certain eligible adult education providers; requiring that funding for State adult education grants shall be provided in the State budget; providing for the manner of calculation of the amount of a certain State adult education grant available for each county for distribution to certain adult education providers; providing for an adjustment to the State adult education grant to reflect regional differences in the cost of education due to certain factors; providing for a certain minimum adult education provider adjustment amount to certain adult education providers under certain circumstances; providing for a certain small program adjustment amount for certain adult education providers under certain circumstances; providing for the calculation of the total State adult education grant amount available to the counties under certain circumstances; providing for a certain phase-in of the total State adult education grant amounts available for certain fiscal years under certain circumstances; requiring that a county provide a certain local share of funding for adult education programs in order to be eligible to receive a State adult education grant; providing for the manner of calculation of certain county contributions for adult education funding; providing that a county's local contribution to adult education program funding may include certain contributions of private donors and the federal government; requiring the State Department of Education to distribute competitive grants for certain adult education and literacy services in accordance with the State Plan for Adult Education and Family Literacy; requiring that certain State grants for adult education programs be based on need and performance; requiring the State Board of Education to adopt certain regulations; providing for a delayed effective date; defining certain terms; and generally relating to establishing a funding formula for adult education and literacy services.

BY repealing

Article – Education

Section 5-218

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Education

Section 5-218

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 648 – Senators Peters, Astle, Dyson, and Munson

AN ACT concerning

Procurement – Service Disabled Veteran Business Enterprise Participation

FOR the purpose of establishing a certain participation goal for certain certified service disabled veteran business enterprises for certain procurement contracts; requiring a certain awarding unit to consider certain efforts by and award certain contracts to certain bidders or offerors that meet or make a good-faith effort to meet certain participation goals; establishing certain criteria by which a contractor is considered to have made a good-faith effort to meet certain participation goals; requiring the Maryland Department of Veterans Affairs and the Governor's Office of Business Advocacy and Small Business Assistance to jointly adopt certain regulations; requiring the Department of Veterans Affairs and the Governor's Office of Business Advocacy and Small Business Assistance to designate an advocate to coordinate and oversee certain activities relating to service disabled veteran business enterprises; requiring an awarding unit to adopt certain regulations to meet the requirements of this Act; requiring an awarding unit to designate a service disabled veteran business enterprise advocate to assist the awarding unit in meeting goals related to service disabled veteran business enterprise participation; requiring certain awarding units to make certain reports on or before a certain date; requiring the Department of Veterans Affairs and the Governor's Office of Business Advocacy and Small Business Assistance to make certain reports on or before a certain date; establishing certain prohibited acts and certain penalties for certain violations; defining certain terms; and generally relating to procurement participation by service disabled veteran business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–601 through 14–607 to be under the new subtitle “Subtitle 6. Service Disabled Veteran Business Enterprise Participation”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 16–203(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 649 – Senator Conway

AN ACT concerning

**Athletics – Mixed Martial Arts – Regulation by State Athletic Commission –
Boxing and Wrestling Tax**

FOR the purpose of prohibiting a person from participating as a mixed martial artist in a certain contest in the State unless the person has a license issued by the State Athletic Commission; requiring a mixed martial artist licensee to be examined by a certain physician under certain circumstances; requiring an applicant for a mixed martial artist license or licensee to provide certain documentary evidence about the results of certain medical tests under certain circumstances; establishing certain application fees for certain licenses; establishing the scope of a mixed martial artist license; altering the scope of certain licenses; authorizing the Commission to deny, reprimand, suspend, or revoke a mixed martial artist license under certain circumstances; requiring the Commission to suspend or revoke a mixed martial artist license under certain circumstances; requiring the Commission to require an individual to be examined by a certain physician before the individual may participate as a mixed martial artist in a contest under certain circumstances; authorizing the Commission to prohibit the individual from participating in a contest as a mixed martial artist under certain circumstances; authorizing a mixed martial artist to enter the ring only under certain circumstances; requiring a mixed martial artist to submit to a certain urine test and to wear certain gloves under certain circumstances; extending the application of certain prohibited acts and certain penalties to mixed martial artists; altering certain prohibited acts; extending the application of the boxing and wrestling tax to gross receipts derived from mixed martial arts contests; providing for the applicability of certain provisions of this Act; defining a certain term; altering certain definitions; making stylistic changes; and generally relating to the licensing of mixed martial artists and the regulation of mixed martial arts contests.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 4–101; and 4–301, 4–302, 4–303(a), 4–304(a), 4–304.1(a) and (b), 4–305(a), 4–308, 4–310, 4–314(a) and (c), 4–315, 4–316, 4–320, and 4–321 to be under the amended subtitle “Subtitle 3. Boxing, Kick Boxing, Wrestling, and Mixed Martial Arts”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 6–101

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 6–102

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

Senate Bill 650 – Senator DeGrange

AN ACT concerning

Employment Agencies – Bonding – Enforcement Authority

FOR the purpose of authorizing the Commissioner of Labor and Industry to investigate certain complaints relating to alleged violations of certain bonding requirements by certain employment agencies; requiring the Commissioner to provide a certain notice; authorizing the Commissioner to impose certain penalties under certain circumstances; and generally relating to bonding requirements for employment agencies.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 9–101, 9–102, 9–201, and 9–401
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9–301
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 651 – Senators DeGrange, Astle, Garagiola, Muse, and Robey

AN ACT concerning

Costs – Circuit Courts and District Court – Failure to Appear or Violation of Probation

FOR the purpose of requiring a circuit court or the District Court to impose on a criminal defendant certain fees for failing to appear or violating a condition of probation under certain circumstances; requiring a clerk of a circuit court or the District Court to pay fees collected under this Act to certain law enforcement agencies; and generally relating to requiring the imposition of certain fees on a criminal defendant for failing to appear or violating a condition of probation under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 7–409
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 652 – Senators Robey, King, and Peters

AN ACT concerning

Property Tax – Valuation of Income Producing Property

FOR the purpose of prohibiting a supervisor of assessments from considering income earned by certain tenants when using an income method to value income producing real property for property tax purposes; and generally relating to the valuation of income producing real property for property tax purposes.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–105(a)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 653 – Senator Dyson

AN ACT concerning

**State Real Estate Commission – Sales Agents for Nonprofit Organization
Home Builders – Licensure**

FOR the purpose of providing an exemption for sales agents for certain nonprofit organizations under certain circumstances from the requirement that individuals who provide real estate brokerage services in the State be licensed; and generally relating to licensure of real estate brokers.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 17–101(a) and (l)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–301

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 654 – Senator Frosh

AN ACT concerning

Public Utility Tree Management Act

FOR the purpose of requiring certain public utilities to prepare a certain plan in accordance with certain requirements under certain circumstances; requiring a certain public utility to enter into a certain agreement with the Department of Natural Resources under certain circumstances; requiring certain programs and plans to be published in accordance with certain requirements; authorizing the Department to issue a stop work order under certain circumstances; providing for certain penalties under certain circumstances; authorizing the Department to adopt certain regulations; defining a certain term; and generally relating to public utilities and tree preservation.

BY adding to

Article – Natural Resources

Section 5–1901 through 5–1905 to be under the new subtitle “Subtitle 19. Public Utility Tree Preservation”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance.

Senate Bill 655 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Catonsville YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the YMCA of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or the matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 656 – Senator Kasemeyer

AN ACT concerning

Correctional Officers' Retirement System – Membership – Parole and Probation

FOR the purpose of providing certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services with membership in the Correctional Officers' Retirement System; requiring the Board of Trustees of the State Retirement and Pension System to transfer certain contributions to certain funds of the Correctional Officers' Retirement System; requiring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services to have a certain number of years of eligibility service to receive a normal service retirement allowance from the Correctional Officers' Retirement System; providing that certain provisions of law do not apply to certain transfers between the employees' systems and the Correctional Officers' Retirement System; and generally relating to transferring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services into the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–202, 25–401, and 37–201
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 25–207
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 29–410
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 657 – Senators Conway, Pinsky, Rosapepe, Colburn, Dyson,
Greenip, Klausmeier, Lenett, and Raskin**

AN ACT concerning

College Textbook Competition and Affordability Act of 2008

FOR the purpose of requiring certain institutions of postsecondary education to develop and implement certain processes to make certain faculty members aware of certain information; providing that certain prices must remain in effect for a certain term under certain circumstances; requiring certain faculty members to allow certain students to use certain editions of certain textbooks under certain circumstances; prohibiting certain faculty members from selecting certain textbooks unless a certain percentage of material will be used for certain courses; prohibiting certain access codes from exceeding a certain percentage of the price of certain textbooks except under certain circumstances; requiring certain faculty members to make certain affirmations under certain circumstances; prohibiting certain bookstores from bundling certain materials without prior approval from certain faculty members; requiring certain institutions of postsecondary education to adopt certain procedures; requiring certain institutions of postsecondary education to list certain information regarding certain textbooks on certain websites at certain times; prohibiting certain revenues from exceeding certain expenditures except under certain circumstances; requiring certain institutions of postsecondary education to make certain reports to the Maryland Higher Education Commission regarding certain analyses of certain textbook prices and certain other information on or before a certain date; requiring the Commission to compile certain reports and forward the compilation to the Governor and the General Assembly on or before a certain date; requiring certain institutions of postsecondary education to develop and implement certain policies for lowering the cost of textbooks on or before a certain date; defining certain terms; and generally relating to the sale of college textbooks.

BY adding to

Article – Education

Section 15–111

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 658 – Senator King

AN ACT concerning

Horse Racing Heritage Act

FOR the purpose of establishing a special fund for the distribution of certain State lottery revenues to horse racing purses and bred funds; requiring that horse racing purses and bred funds be increased according to a certain formula; authorizing the Governor to request a certain deficiency appropriation under certain conditions; requiring that all funds for purses and bred funds under this Act be in addition to and not supplant certain other funds; establishing certain conditions on the distribution of certain funds; and generally relating to lottery proceeds and purse and bred fund supplements for horse racing in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–120.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 659 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Local Ordinance Creating a County Police Department – Submission to Local Referendum

FOR the purpose of requiring the County Commissioners of Carroll County to submit an ordinance to a certain referendum under certain circumstances; requiring the County Commissioners to take certain actions to provide for and hold a certain referendum under certain circumstances; making the provisions of a certain local law effective on a certain date under certain circumstances; prohibiting the implementation of a certain local law under certain

circumstances; making this Act an emergency measure; and generally relating to a local referendum on the creation of a police department for Carroll County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(q)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 660 – Senator Kelley

AN ACT concerning

Family Support Act

FOR the purpose of establishing the Family Planning and Reproductive Health Program in the Family Health Administration; providing for the purpose of the Program; requiring the Program to provide certain family planning services; requiring the Program to be operated through certain clinics and agencies; requiring the Department of Health and Mental Hygiene, in collaboration with the Department of Human Resources and the State Department of Education, to establish a program to increase educational supports for certain adolescents; providing for the purpose of the program; requiring the program to be offered in a certain number of jurisdictions in the State; requiring the program to enroll certain adolescents and to include certain services; authorizing the Department of Health and Mental Hygiene to contract with an entity to design and implement the program and to provide certain services; requiring the Family Health Administration, in collaboration with the Department of Human Resources, to develop and implement a program to reduce teen pregnancy that focuses on engaging fathers; providing for the purpose of the program; requiring the program to include certain education, training, and services; authorizing the Department of Health and Mental Hygiene to contract with an entity to design and implement the program and an independent evaluator to design and implement an evaluation plan; requiring the Department of Health and Mental Hygiene to develop a certain public education campaign; authorizing the Department of Health and Mental Hygiene to collaborate with an entity to develop the public education campaign; requiring the Governor to include certain funding in the annual budget bill for a certain purpose; and generally relating to family support services.

BY adding to
Article – Health – General
Section 20–1301 through 20–1305 to be under the new subtitle “Subtitle 13.
Family Support Services”
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 661 – Senators Middleton and Dyson

AN ACT concerning

**Vehicle Laws – Prohibition Against Minors with Provisional License
Transporting Minors – Enforcement**

FOR the purpose of repealing a provision of law that limits a police officer to enforcing a certain prohibition, only as a secondary action, against a holder of a provisional driver's license who is a minor transporting certain other minors when the police officer detains the driver on suspicion of violating another provision of law; and generally relating to the enforcement of laws prohibiting the transportation of minors by minors who hold provisional drivers' licenses.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 662 – Senator Middleton

AN ACT concerning

Agricultural Land Transfer Tax – Rates and Distribution of Revenue

FOR the purpose of altering certain agricultural land transfer tax rates; altering the distribution of certain revenues attributable to the agricultural land transfer tax; altering the distribution of the State transfer tax revenues under certain circumstances; providing that the Maryland Agricultural and Resource–Based Industry Development Corporation may use a certain percentage of certain funds for certain administrative costs; and generally relating to the agricultural land transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 13–303(a) and 13–306(a)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 13–306(b)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 13–513(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 663 – Senator Simonaire

AN ACT concerning

Power of Attorney Accountability Act (Lorretta’s Law)

FOR the purpose of establishing certain duties of an agent under a power of attorney; requiring an agent to disclose certain receipts, disbursements, or transactions if ordered by a court or requested by certain persons; requiring an agent to comply with a certain request within a certain period; establishing that an agent that violates certain provisions is liable for certain amounts; requiring that a power of attorney executed in this State contain a certain notice; authorizing certain persons to petition a court to construe a power of attorney or review the agent’s conduct; providing for the application of certain provisions of this Act; and generally relating to powers of attorney.

BY adding to
Article – Estates and Trusts
Section 13–604 through 13–606
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 664 – Senator Colburn

AN ACT concerning

Vehicle Laws – Registration Plates Honoring Maryland Lighthouses

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed registration plate honoring Maryland lighthouses; requiring the Administration to consult with the Chesapeake Chapter of the United States Lighthouse Society; specifying the vehicles that are eligible for

the registration plate; requiring certain owners of vehicles issued the registration plate to pay a certain fee; restricting the amount and use of fees paid for registration plates under this Act; requiring the Administration to adopt regulations; and generally relating to registration plates honoring Maryland lighthouses.

BY adding to

Article – Transportation
Section 13–619.3
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 665 – Senator Colburn

AN ACT concerning

Compensation Program for Family Member Caretakers

FOR the purpose of establishing the Compensation Program for Family Member Caretakers in the Department of Health and Mental Hygiene; providing for the purpose of the Program; providing for eligibility for the Program; providing that the Program shall provide certain compensation and health insurance benefits to certain eligible individuals, subject to the limitations of the State budget; providing that the Department may determine whether to provide health insurance benefits to certain individuals based on certain criteria; requiring the Department to determine what level of compensation to provide to certain individuals based on certain criteria; authorizing the Department to adopt regulations to implement the Program; requiring the Department to submit a certain report to the Governor and to the General Assembly on or before a certain date each year; defining certain terms; and generally relating to compensation for family member caretakers.

BY adding to

Article – Health – General
Section 13–2701 through 13–2703 to be under the new subtitle “Subtitle 27.
Compensation Program for Family Member Caretakers”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 666 – Senator Colburn

AN ACT concerning

Income Tax – Subtraction Modification – Foster Parents

FOR the purpose of allowing a subtraction modification for purposes of determining Maryland taxable income in a certain amount for certain foster parents under certain circumstances; providing that the subtraction may not be claimed under certain circumstances; requiring a taxpayer to file a certain statement under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain eligible foster parents.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 667 – Senator Colburn

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Foster Parents – Eligibility to Participate

FOR the purpose of authorizing certain foster parents to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program and receive a certain State subsidy; defining a certain term; and generally relating to eligibility for enrollment and participation in the State Employee and Retiree Health and Welfare Benefits Program.

BY adding to
Article – State Personnel and Pensions
Section 2–515.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 668 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Bay Country Kid’s Club Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Bay Country Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 669 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Family YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Dorchester County Family YMCA, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 670 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – WaterLand Fisheries

FOR the purpose of authorizing the creation of a State Debt not to exceed \$480,000, the proceeds to be used as a grant to the Board of Directors of WaterLand Fisheries, Inc. for certain development or improvement purposes; providing for

disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 671 – Senators Colburn, Conway, Jones, Muse, and Rosapepe

AN ACT concerning

Department of Public Safety and Correctional Services – Employees Serving as Members of County Governing Bodies

FOR the purpose of providing that an individual employed by the Department of Correctional Services in a certain capacity is not prohibited from serving in a certain elective office; requiring the Secretary of Correctional Services, in consultation with the State Ethics Commission, to adopt certain regulations; and generally relating to conflicts of interest and limitations on employment.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 2–304(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–109
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 672 – Senators Colburn, McFadden, Munson, and Robey

AN ACT concerning

Retirement and Pensions – Reemployment of Retired Judges

FOR the purpose of exempting from a certain offset of a retirement allowance retired judges who are members of the Employees' Retirement System or the Employees' Pension System who are temporarily assigned to sit in certain courts in the State; and generally relating to the reemployment of retired judges.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 22–406(b) and (c)(1), (2), and (3) and 23–407(b) and (c)(1), (2), and (3)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(c)(4)(vii) and (viii) and 23–407(c)(4)(v) and (vi)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 22–406(c)(4)(ix) and 23–407(c)(4)(vii)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 673 – Senators Colburn, Pipkin, and Stoltzfus

AN ACT concerning

Clammers – Clamming Appliances and Income – Compensation

FOR the purpose of establishing a Clammers' Compensation Program in the Department of Natural Resources; requiring the Department to compensate certain eligible clammers for equipment and diminished earning capacity due to the prohibition on the use of certain equipment; requiring the Department to adopt certain regulations to ensure that certain clammers receive compensation for certain equipment and diminished earning capacity due to the prohibition on the use of certain equipment; establishing a Clammers' Compensation Committee in the Department to provide for the payment of compensation to clammers; providing for the membership of the Committee; requiring Committee appointees to take a certain oath; setting the terms of members of the Committee; providing for the removal of members on certain grounds; providing for the election of the Committee Chair; specifying that a majority of the authorized membership is a quorum; prohibiting a member of the Committee from receiving compensation as a member; providing that a member is entitled to reimbursement for certain expenses; requiring the Department to provide staff for the Committee; authorizing the Committee to determine which clammers may receive compensation; authorizing the Committee to determine the amount of compensation each clammer may receive; authorizing the Department to use certain funds to carry out the section; requiring the Secretary to adopt regulations to carry out the purposes of the section; defining

certain terms; providing for the termination of this Act; and generally relating to compensation for certain clammers.

BY adding to

Article – Natural Resources

Section 4–1002.1

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 674 – Senator Brinkley

AN ACT concerning

Water Resources – Groundwater Appropriation or Use – Priority Funding Areas

FOR the purpose of authorizing the Maryland Department of the Environment to give priority to a public water system that supplies water to a certain priority funding area when appropriating or using groundwater of the State; and generally relating to the appropriation or use of groundwater of the State.

BY repealing and reenacting, with amendments,

Article – Environment

Section 5–501

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 675 – Senators Brinkley and Kittleman

EMERGENCY BILL

AN ACT concerning

Carroll County – County Commissioners

FOR the purpose of altering the boundaries for the County Commissioner Districts in Carroll County; establishing certain eligibility criteria for individuals serving as County Commissioners for Carroll County; repealing a certain requirement that a certain Commission Redistricting Committee recommend provisions for staggered terms of office for certain County Commissioners; making this Act an

emergency measure; and generally relating to the County Commissioners of Carroll County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Carroll County
Section 3-101
Article 7 – Public Local Laws of Maryland
(2004 Edition and November 2007 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 676 – Senators Stoltzfus, Astle, Colburn, Dyson, Glassman, Haines, and Jacobs

EMERGENCY BILL

AN ACT concerning

Property Tax Assessment – Commercial Waterfront Property

FOR the purpose of establishing commercial waterfront property as a subclass of real property for assessment purposes; providing for the assessment of certain commercial waterfront property based on its use instead of its market value; requiring the State Department of Assessments and Taxation to adopt certain regulations; requiring the Department to provide certain notice to certain property owners; providing for certain applications for property to be assessed as commercial waterfront property; providing for the termination of a certain use assessment and the imposition of a certain penalty under certain circumstances; providing for the distribution of the proceeds from a certain penalty; defining certain terms declaring the intent of the General Assembly; making this Act an emergency measure; and generally relating to the assessment of certain commercial waterfront property for property tax purposes.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8-101(b)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Tax – Property
Section 8-228.1
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 677 – Senators Garagiola, Astle, King, Klausmeier, McFadden, Peters, Pugh, and Robey

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay-for-Performance

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop a plan for accountability measures to use in a pay-for-performance program; repealing a requirement that certain revenues be distributed to certain nursing facilities subject to a certain Act; requiring that certain measures be attainable; requiring that the plan for accountability measures include certain items; requiring the Department to submit the plan for accountability measures to the General Assembly by a certain date; and generally relating to nursing facilities and pay-for-performance.

BY repealing and reenacting, with amendments,
Chapter 503 of the Acts of the General Assembly of 2007
Section 5

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

Senate Bill 678 – Senator Glassman

AN ACT concerning

Maryland Geologists Act

FOR the purpose of creating the State Board of Geologists in the Department of Labor, Licensing, and Regulation; specifying the purpose of this Act; providing for the composition of the Board and the appointment, terms, and expenses of Board members; providing for the election of Board officers and procedures of the Board; establishing certain powers and duties of the Board; requiring certain individuals to be licensed by the Board as geologists before practicing geology; establishing certain education requirements for geologists; establishing certain licensing and license renewal requirements; specifying certain examination requirements for geologists; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for geologists; providing for certain criminal penalties; requiring certain penalties collected by the Board to be paid into the General Fund; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; specifying the terms of the initial appointed members of the

Board; defining certain terms; and generally relating to the State Board of Geologists and the licensing and regulation of geologists.

BY renumbering

Article – State Government

Section 8–403(b)(27) through (69), respectively
to be Section 8–403(b)(28) through (70), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(27)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 21–101 through 21–502 to be under the new title “Title 21. Geologists”
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 679 – Senator Kittleman

AN ACT concerning

Injured Workers’ Insurance Fund – Regulation by the Maryland Insurance Commissioner

FOR the purpose of removing the Injured Workers’ Insurance Fund from exceptions to certain provisions of law; providing that the Fund is subject to examination in accordance with certain provisions of law; providing that the Fund is subject to certain provisions of law regarding rate making and rating; authorizing the Maryland Insurance Commissioner to enforce certain provisions of law to which the Fund is subject; removing a prohibition that an order of the Commissioner may not include a requirement that the Fund increase rates; removing a prohibition that the Commissioner may not take any action to enforce certain provisions of law; removing a requirement that certain information submitted by the Fund to the Governor comply as closely as possible to a certain form; requiring the Board for the Fund to determine a schedule of premium rates in accordance with certain provisions of law; requiring the Board for the Fund to adjust certain classes and rates in accordance with certain provisions of law; making a stylistic change; and generally relating to regulation of the Injured Workers’ Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–202 and 11–303
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–125(a) through (c), 10–126, and 10–130
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 680 – Senator Kittleman

AN ACT concerning

Maryland Small Business Innovation Research Matching Funds Program

FOR the purpose of establishing the Maryland Small Business Innovation Research Matching Funds Program in the Technology Economic Development Corporation; requiring the Corporation to award certain matching grants to certain recipients of certain federal program grants in a certain manner; authorizing the Corporation to award matching grants using certain funds; requiring an applicant for Program matching funds to submit a certain application form and pay a nonrefundable fee established by regulation; requiring the Program application form to include certain information; establishing a maximum grant amount; limiting the number of matching grants a business may receive; requiring the Corporation to submit a certain annual report; requiring the Corporation to adopt certain regulations in a certain manner; stating the purpose of the Program; and generally relating to the Maryland Small Business Innovation Research Matching Funds Program.

BY adding to
Article – Economic Development
Section 10–445 through 10–452 to be under the new part “Part IV. Maryland Small Business Innovation Research Matching Funds Program”
Annotated Code of Maryland
(As enacted by Chapter ___ (H.B. ___)(8lr0698) of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Finance.

Senate Bill 681 – Senators Kittleman, Colburn, Greenip, Jacobs, and Stone

AN ACT concerning

Criminal Procedure – Police Reporting – Detained Undocumented Aliens

FOR the purpose of requiring a police officer who encounters and detains in the normal course of the officer's duties an individual who the police officer determines is an undocumented alien to inform the U.S. Immigration and Customs Enforcement agency of the United States Department of Homeland Security of the detention as soon as possible after the police officer has detained the undocumented alien; providing that this Act does not require that a police officer search for an individual for the sole purpose of detaining undocumented aliens; and generally relating to undocumented aliens.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 2–101(c)

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

BY adding to

Article – Criminal Procedure

Section 2–108

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 682 – Senator Middleton

AN ACT concerning

Medical Assistance Program – Long-Term Care Eligibility – Consolidation Plan

FOR the purpose of requiring the Department of Health and Mental Hygiene and the Department of Human Resources, in consultation with certain groups, to develop a certain plan; requiring the Department of Health and Mental Hygiene and the Department of Human Resources to submit a certain report to the Governor and the General Assembly on or before a certain date; and generally relating to the Medical Assistance Program and eligibility for long-term care services.

Read the first time and referred to the Committee on Finance.

Senate Bill 683 – Senator Rosapepe

AN ACT concerning

Joint Technology and Biotechnology Committee – Membership and Duties

FOR the purpose of codifying and renaming the Joint Technology Oversight Committee to be the Joint Technology and Biotechnology Committee; modifying the membership and duties of the Committee; and generally relating to the Joint Technology and Biotechnology Committee.

BY repealing

Chapter 11 of the Acts of the General Assembly of 2000
Section 6

BY adding to

Article – State Government
Section 2–10A–13
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 684 – Senators Middleton, Brinkley, Colburn, Exum, Glassman,
and Munson**

AN ACT concerning

Commercial Law – Below Cost Sales – Fluid Milk Products

FOR the purpose of prohibiting certain milk dealers from selling or offering to sell certain fluid milk products to certain entities in the State at less than a certain cost; prohibiting certain milk dealers from selling certain fluid milk products in combination with certain other items under certain circumstances; providing for the calculation of certain costs of certain fluid milk products in a certain manner; requiring certain milk dealers to present certain cost to the Secretary of Agriculture for certification in a certain manner; requiring the Secretary to consider certain information as confidential under certain circumstances; requiring the Secretary to enforce this Act in a certain manner; requiring the Secretary to adopt certain regulations; requiring the Secretary to issue certain stop-sale notices under certain circumstances; authorizing the Secretary to make certain recommendations to the Secretary of Health and Mental Hygiene; authorizing the Secretary to develop certain procedures for certain assessments to be paid by certain milk dealers; authorizing the circuit court to enjoin a certain milk dealer from certain acts in a certain manner; providing for the intent and applicability of this Act; providing that the Maryland Sales Below Cost Act does not apply to this Act; defining certain terms; and generally relating to sales of fluid milk products in the State.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–402
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Commercial Law
Section 11–1501 through 11–1507 to be under the new subtitle “Subtitle 15.
Sales Below Cost of Fluid Milk Products”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 685 – Senators Rosapepe and Peters

AN ACT concerning

**Prince George’s County – Roadside Advertising or Solicitation of Money or
Donations – Prohibition**

FOR the purpose of prohibiting a person from standing in a highway in Prince George’s County to solicit money or donations from the occupant of a vehicle or to advertise any message; prohibiting an adult from encouraging or allowing a child to stand in a highway in Prince George’s County to solicit money or donations from the occupant of a vehicle or to advertise any message; providing that a child may not be found guilty or adjudicated delinquent for standing in a highway in Prince George’s County to solicit money or donations from the occupant of a vehicle or to advertise any message if an adult encouraged or allowed the child to commit the violation; making the provisions of this Act severable; defining a certain term; and generally relating to restrictions on the use of highways in Prince George’s County for advertising or solicitation.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 686 – Senators Rosapepe, Conway, and Lenett

AN ACT concerning

Task Force to Study the Procurement of Health and Social Services by State Agencies

FOR the purpose of establishing a Task Force to Study the Procurement of Health and Social Services by State Agencies; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Department of Budget and Management and the Department of General Services to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the Procurement of Health and Social Services by State Agencies.

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 687 – Senator Brochin

AN ACT concerning

Courts – Nonprofit Associations and Homeowners Associations – Standing

FOR the purpose of granting a certain nonprofit association or homeowners association standing in court under certain circumstances; requiring a certain nonprofit or homeowners association to allege and prove certain conditions before being granted standing; establishing that standing for a certain nonprofit or homeowners association vests at the conclusion of a certain individually named party's case, that standing of a certain nonprofit or homeowners association is limited to certain claims and relief that do not require the participation of the individually named party, that a certain nonprofit or homeowners association shall have appeared, with certain exceptions, at a certain local governmental hearing whose decision is being appealed, and that if the individually named party is found to lack standing, a certain nonprofit or homeowners association may not assert standing; defining certain terms; providing for the prospective application of this Act; providing for the construction of this Act; and generally relating to the standing of a nonprofit association or homeowners association in court.

BY renumbering

Article – Courts and Judicial Proceedings

Section 6–406.1

to be Section 6–406.2

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 6–406.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations
Section 1–208
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 688 – Senator Brochin

AN ACT concerning

Foreclosures – Unpaid Water and Sanitary Charges – Prohibition

FOR the purpose of prohibiting the forced sale or foreclosure of a property due to unpaid water, sewer, or other sanitary system bills; repealing provisions of law authorizing a sale of property to enforce a lien for unpaid benefit assessments or other charges; repealing provisions rendered inconsistent with this Act; and generally relating to collection of unpaid bills and other charges by sanitary commissions.

BY adding to

Article – Real Property
Section 14–130
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment
Section 9–658, 9–662, 9–679, and 9–724
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 689 – Senators Raskin and Madaleno

AN ACT concerning

Family Law – Domestic Partnerships

FOR the purpose of repealing references to “marriage” in certain provisions of law governing marriage and substituting references to “domestic partnership”; making certain provisions of law that previously applied to marriages apply to domestic partnerships; providing that only a domestic partnership between two individuals not otherwise prohibited from entering into a domestic partnership is valid in this State; prohibiting certain individuals from entering into a domestic partnership; repealing certain provisions of law relating to a Society of Friends marriage ceremony; repealing certain provisions of law relating to a premarital preparation course; clarifying that a certain provision of law does not affect the right of a religious denomination to perform a marriage or domestic partnership ceremony in accordance with the rules and customs of the denomination; requiring that a foreign marriage be deemed a domestic partnership in this State and subject to applicable laws and regulations; establishing that parties to a domestic partnership have the same benefits, protections, and responsibilities under law as spouses in a marriage; providing that the terms “marriage”, “domestic partner”, and “domestic partnership” are included in any use or definition of certain terms that denote marriage or the spousal relationship; requiring that the dissolution of a domestic partnership follows the same procedures and is subject to the same substantive rights and obligations as apply to a divorce, including residency requirements; altering certain definitions; making stylistic changes; and generally relating to domestic partnerships.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–101; 2–201 and 2–202 to be under the amended subtitle “Subtitle 2. Valid Domestic Partnerships; Void Domestic Partnerships”; 2–301 to be under the amended subtitle “Subtitle 3. Domestic Partnership of Certain Minors”; and 2–401 through 2–403, 2–404(a), 2–405 through 2–409, 2–410(a)(1) and (2), and 2–501 through 2–503 to be under the amended title “Title 2. Domestic Partnerships”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing

Article – Family Law

Section 2–404.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Family Law

Section 2–601 to be under the new subtitle “Subtitle 6. Effect of Domestic Partnerships”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 690 – Senators Madaleno, Forehand, and Raskin

AN ACT concerning

Limited Service Pregnancy Centers – Disclaimers

FOR the purpose of requiring that limited service pregnancy centers make certain disclaimers to clients and potential clients; requiring that certain disclaimers be given by certain staff under certain circumstances and in a certain manner; defining a certain term; and generally relating to disclaimers to clients by limited service pregnancy centers.

BY adding to

Article – Health – General

Section 20–215

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 691 – Senators Madaleno and Peters

AN ACT concerning

Task Force to Study the Needs and Expenditures of State Programs

FOR the purpose of establishing the Task Force to Study the Needs and Expenditures of State Programs; establishing the membership and staff of the Task Force; requiring the President of the Senate and the Speaker of the House to designate the chair of the Task Force; requiring the Task Force to examine and make findings and recommendations on certain issues related to the needs and expenditures of State programs; requiring the Task Force to submit certain reports by certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Needs and Expenditures of State Programs.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 692 – Senators Madaleno, Jones, and Kasemeyer

AN ACT concerning

State Budget – Modifications – Reporting

FOR the purpose of requiring the State budget books to include a separate section listing, for certain fiscal years, certain changes in policy or administration that will reduce, by a certain amount, the level of funding or level of services in any program or program area; requiring the section to include, for a certain fiscal year, a summary of certain changes reducing funding or services below certain levels; defining a certain term; and generally relating to a requirement that the budget books contain a section relating to certain reductions.

BY adding to

Article – State Finance and Procurement

Section 7–123

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 693 – Senators Madaleno and Raskin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

General Assembly – Filling of Vacancy by Special Election

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a vacancy occurring in the House of Delegates or the Senate of Maryland during a certain period of the term of office shall be filled by a special election to coincide with the next ensuing regular presidential and congressional election; establishing certain procedures for the special election; deleting certain obsolete language; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department

Section 6, 7, and 13

BY proposing an amendment to the Maryland Constitution

Article XVII – Quadrennial Elections

Section 1, 2, and 3

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 694 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Goshen House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Anne Arundel County Board of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 695 – Senators Gladden, Frosh, and Muse

AN ACT concerning

Police and Court Records – Nuisance Crimes – Expungement

FOR the purpose of authorizing a person convicted of a certain crime who completed the sentence imposed for the conviction, including probation, to petition for the expungement of certain records maintained by the State pertaining to the conviction; prohibiting the petition from being filed during a certain time; and generally relating to the expungement of police records, court records, and other records maintained by the State.

BY renumbering

Article – Criminal Procedure
Section 10–105(c)(6)
to be Section 10–105(c)(7)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 10–105(a)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY adding to

Article – Criminal Procedure
Section 10–105(c)(6)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 696 – Senator Gladden

AN ACT concerning

Maryland General Corporation Law – Altering and Updating Corporate Procedures and Miscellaneous Provisions

FOR the purpose of repealing a certain provision of law requiring a corporation to give certain written notice of the amount, time, and place of payment on subscriptions for stock to each subscriber; repealing a certain provision of law requiring that a call by the board of directors for payment on subscriptions be uniform as to all stock of the same class; clarifying that stockholders of a corporation formed on or after a certain date do not have certain preemptive rights unless the charter expressly grants the rights, and that stockholders of a corporation formed before that date have certain preemptive rights unless and until expressly changed or terminated by charter amendment; altering the circumstances under which a corporation is required to send certain information to a stockholder; requiring the information to be sent on request of a stockholder and without charge to the stockholder; authorizing a resignation of a director given in a certain manner to provide that it will be effective at a later time or on the occurrence of an event and that it is irrevocable under certain circumstances; authorizing the board of directors of a corporation to delegate to certain committees the power to recommend to stockholders the election of directors; altering the circumstances under which a committee of a board of directors may authorize or fix the terms of certain stock and the terms on which any stock may be issued; altering the definition of “director” as it relates to certain indemnification provisions to include certain directors of corporations who serve in certain capacities in connection with a limited liability company; limiting certain requirements imposed on making advance payments of expenses for indemnification of a director; authorizing a corporation to hold its annual meeting in the manner provided in its bylaws; requiring a corporation to give notice of an action taken by stockholders without a meeting to each stockholder who, if the action had been taken at a meeting, would have been entitled to notice of the meeting; providing that, for certain corporations, the presence of a certain number of votes at a meeting of stockholders constitutes a quorum under certain circumstances; authorizing articles of merger, consolidation, or share exchange to provide certain information relating to the directors, trustees, and officers of the successor, or of persons acting in similar positions, if the persons in those positions will be changed in the merger, consolidation, or share exchange; making certain stylistic changes; and generally relating to corporations and altering and updating the Maryland General Corporation Law.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 2–202, 2–205, 2–210(c), 2–406, 2–411(a) and (b), 2–418(a)(3) and (f),
2–501(c), 2–505(b), and 2–506

Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Corporations and Associations
Section 3–109(f)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 697 – Senator Gladden

AN ACT concerning

Juvenile Causes – Intake Decisions – Unauthorized Use of a Motor Vehicle

FOR the purpose of establishing that, when a Department of Juvenile Services intake officer makes an inquiry as to whether the juvenile court has jurisdiction over a certain child and whether judicial action is in the best interests of the public or the child, the inquiry need not include an interview of the child if the complaint alleges a violation involving the unauthorized use of a motor vehicle; requiring the intake officer to forward the complaint and a copy of the intake case file to the State's Attorney for review if the complaint alleges a violation involving the unauthorized use of a motor vehicle under certain circumstances; requiring the State's Attorney to take certain actions under certain circumstances; and generally relating to juvenile causes.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–10(a), (b), (e), and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–10(c) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 698 – Senator Gladden

AN ACT concerning

Criminal Procedure – Occupational Licenses or Certificates – Issuance of a Certificate of Relief from Disabilities

FOR the purpose of requiring a certain parole and probation agent, at the request of a sentencing court, to provide a certain report on granting a certain certificate of relief from disabilities to a certain offender; establishing the policy of the State to encourage the employment of nonviolent ex-offenders and to provide a process for ex-offenders to demonstrate fitness for occupational licenses or certificates required by the State; requiring certain State departments that issue certain occupational licenses or certificates to follow certain procedures in deciding whether to issue a license or certificate to a certain applicant who presents a certain certificate of relief from disabilities; on the request of a certain offender, authorizing a circuit court, the District Court, a review panel of three circuit judges, or the Maryland Parole Commission to issue a certain certificate to an offender convicted of a nonviolent offense; authorizing a court or review panel to issue a certain certificate or to order the Division of Parole and Probation to conduct an investigation and recommend whether the court or review panel should issue a certain certificate to an eligible offender; authorizing the Commission to issue a certain certificate if an offender is on parole or mandatory supervision; authorizing the Commission, under certain circumstances, to issue a certain certificate of relief from disabilities to an offender who is under the supervision of the Commission through the authority of the Interstate Compact on Adult Offender Supervision; establishing certain requirements for a court, review panel, or the Commission to consider in issuing a certain certificate; authorizing a court, review panel, or the Commission to limit the scope of a certain certificate or issue a new certificate expanding its scope; authorizing a court, review panel, or the Commission to revoke the certificate under certain conditions; requiring an offender to surrender a revoked certificate on written notification by the issuing court, review panel, or the Commission; establishing that a certain certificate is a temporary certificate until a certain offender is discharged from parole or mandatory supervision; authorizing the Commission to revoke a temporary certificate for certain violations after holding a certain hearing on the violation; requiring the Commission to issue a permanent certificate on discharge of the eligible offender from parole or mandatory supervision under certain conditions; establishing the offense of the knowing use of a revoked certificate; establishing certain penalties; requiring certain State departments to follow, notwithstanding any other provision of law, certain procedures in the consideration of an application for an occupational license or certificate of an applicant who has been convicted of a felony or misdemeanor under federal or State law; prohibiting a department from denying an occupational license or certificate to a certain applicant who has a certain certificate of relief from disabilities, with certain exceptions; authorizing a department to deny an occupational license or certificate to an applicant with a certain certificate under certain circumstances; requiring a department to consider certain factors in making a certain determination; requiring a department to follow certain procedures to give an applicant notice and an opportunity to be heard if the

department denies a certain applicant an occupational license or certificate under certain circumstances; establishing that this Act does not affect a defendant's right to collaterally attack a conviction; establishing that a certain certificate may not limit or prevent the introduction of certain evidence to impeach a witness; providing that the existence of a certain certificate makes the underlying conviction inadmissible in certain actions alleging certain negligence in hiring or licensing a certain individual under certain circumstances; providing for the admissibility of evidence of the issuance of a certain certificate to prove the due care of a certain individual or department under certain circumstances; defining certain terms; and generally relating to occupational licenses or certificates and the issuance of a certificate of relief from disabilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–112(a)(1)
Annotated Code of Maryland
(1999 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–301 through 6–309 to be under the new subtitle “Subtitle 3.
Certificate of Relief from Disabilities”
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–105(c)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 699 – Senator Gladden

AN ACT concerning

Task Force to Study the Development of Environmentally Friendly Communities in Urban Areas

FOR the purpose of establishing a Task Force to Study the Development of Environmentally Friendly Communities in Urban Areas; establishing the membership of the Task Force; requiring the President of the Senate and the Speaker of the House of Delegates to jointly appoint the chair and co-chair of the Task Force; providing for the staffing of the Task Force; providing for reimbursement of the expenses of a member of the Task Force; requiring the Task Force to evaluate and make recommendations regarding the development of environmentally friendly communities in urban areas; requiring the Task Force to report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Study the Development of Environmentally Friendly Communities in Urban Areas.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 700 – Senator Forehand

AN ACT concerning

Domestic Violence – Violation of Protective Order – Active Electronic Monitoring

FOR the purpose of authorizing the court, in a county that implements a global positioning satellite tracking system program, to suspend the sentence of a defendant convicted of failing to comply with certain relief granted in an interim protective order, temporary protective order, or final protective order and place the defendant under active electronic monitoring under certain conditions; requiring a certain defendant to pay certain fees established by the county under certain circumstances; authorizing a county to exempt a certain defendant from certain fees under certain circumstances; and generally relating to active electronic monitoring of a defendant who violates a protective order.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–221
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–509(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 701 – Senators Jones, Astle, and McFadden

AN ACT concerning

Insurance Producers – Life and Health Insurance Examinations – Annual Reports

FOR the purpose of requiring the Maryland Insurance Commissioner or a designee of the Commissioner on or before a certain date each year to prepare and publish a certain report that relates to life and health insurance producer examinations administered during a certain period of time; requiring the report to include certain information about certain examinees in a certain manner; requiring the Commissioner or a designee of the Commissioner on or before a certain date each year to prepare and make available on request a certain report that relates to a certain test form used for certain examinations administered during a certain period of time; requiring the report to show certain information about certain test forms for certain examinees in a certain manner; and generally relating to examinations for insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–109
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 702 – Senator Jones

AN ACT concerning

Injured Workers' Insurance Fund – Audit Requirement

FOR the purpose of requiring the Legislative Auditor to conduct certain audits of the Injured Workers' Insurance Fund; requiring the Legislative Auditor to take into consideration certain factors when conducting certain audits of the Injured Workers' Insurance Fund; establishing that the audit requirement is in addition to and not instead of certain other audits or regulatory authority of the Maryland Insurance Commissioner; requiring the Legislative Auditor to submit the results of each audit to certain officials as provided by law and certain legislative committees; and generally relating to legislative audits of the Injured Workers' Insurance Fund.

BY adding to
Article – Labor and Employment
Section 10–124
Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–125(a) through (c)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 2–205(a), (b), and (f) and 2–209
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 703 – Senator Zirkin

AN ACT concerning

Commission on Land Use at the Rosewood Center

FOR the purpose of establishing a Commission on Land Use at the Rosewood Center; establishing the membership of the Commission; specifying the co–chairs of the Commission; providing for the staffing of the Commission; prohibiting members from receiving compensation or a certain expense reimbursement for service on the Commission; requiring the Commission to review, discuss, and analyze options for the use of the land and buildings at Rosewood Center once it closes; requiring the Commission to make certain reports to the Governor and the General Assembly by certain dates; providing for the termination of this Act; prohibiting the transfer or disposition of buildings or land associated with the Rosewood Center until after a certain report is submitted to the Governor and the General Assembly; and generally relating to the establishment of the Commission on Land Use at the Rosewood Center.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 704 – Senator Zirkin

AN ACT concerning

Human Services – Residential Child Care Facilities – Report Cards

FOR the purpose of requiring, on or before a certain date, the Department of Juvenile Services, the Department of Human Resources, and the Department of Health and Mental Hygiene jointly to develop, coordinate, and adopt a “report card”

system that measures annual progress for each residential child care facility serving youth placed by the State; providing that a report card issued under this Act shall measure and provide a numerical score by category whether a residential child care facility exceeds, meets, or is deficient in meeting certain standards established by the agencies; requiring the agencies and the Governor's Office for Children to publish the results of the report cards each year; and generally relating to residential child care facilities.

BY adding to

Article – Human Services

Section 8–1101 through 8–1103 to be under the new subtitle “Subtitle 11.
Residential Child Care Facilities – Report Cards”

Annotated Code of Maryland
(2007 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 705 – Senator Zirkin

AN ACT concerning

Juvenile Law – Purposes and Hearings

FOR the purpose of altering the express purposes of certain laws pertaining to children who commit delinquent acts and children in need of supervision; repealing certain provisions requiring the juvenile court to conduct certain proceedings in open court and announce certain adjudications and dispositions in open court except under certain circumstances; authorizing the juvenile court, under certain circumstances, to exclude the general public from a hearing in which a child is alleged to have committed a delinquent act that would be a felony if committed by an adult and to admit only the victim and certain other persons; making certain stylistic changes; and generally relating to juvenile causes.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–02 and 3–8A–13(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 706 – Senator Zirkin

AN ACT concerning

Evidence – Admissibility of Fingerprint Evaluations

FOR the purpose of providing that, in a criminal proceeding, evidence of fingerprint evaluation is admissible to prove or disprove the identity of a person under certain circumstances; requiring the party seeking to introduce the evidence of a fingerprint evaluation to provide the other party in the proceeding with a copy of certain laboratory notes, reproductions, reports, or statements under certain circumstances; authorizing a court to grant a continuance to allow certain discovery under certain circumstances; defining certain terms; and generally relating to admissibility of evidence regarding a fingerprint evaluation.

BY adding to

Article – Courts and Judicial Proceedings

Section 10-922

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 707 – Senator Munson

AN ACT concerning

Creation of a State Debt – Washington County – Community Free Clinic

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Regional Community Healthcare Center Foundation, Inc., d.b.a. the Community Free Clinic, for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 708 – Senators Dyson, Colburn, Lenett, Middleton, and Zirkin

AN ACT concerning

Patient Referrals – Imaging and Radiation Therapy Services – Accreditation

FOR the purpose of altering the definition of “in-office ancillary services” as it relates to certain referrals by certain health care practitioners so as to include magnetic resonance imaging services, radiation therapy services, and computed tomography scan services; altering certain exceptions to certain patient referral prohibitions; requiring health care entities that furnish magnetic resonance

imaging services, radiation therapy services, and computed tomography scan services to receive accreditation from certain organizations by certain dates; authorizing the provisional accreditation of certain health care entities; requiring certain health care entities to maintain certain standards and make available evidence of accreditation; defining a certain term; and generally relating to the referral of patients for resonance imaging services, radiation therapy services, and computed tomography scan services.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–301, 1–302, 1–303
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health Occupations
Section 1–701 to be under the new subtitle “Subtitle 7. Accreditation of
Business Entities that Furnish Magnetic Resonance Imaging Services,
Computer Tomography Scan Services, and Radiation Therapy Services”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 709 – Senator Lenett

AN ACT concerning

Health Occupations – Optometrists – Therapeutic Contact Lenses

FOR the purpose of authorizing a therapeutically certified optometrist to prescribe and dispense a certain therapeutic contact lens; defining a certain term; and generally relating to therapeutic contact lenses and optometrists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 11–404.2
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and
Environmental Affairs.

Senate Bill 710 – Senator Lenett

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

FOR the purpose of altering the date by which certain persons are prohibited from using, selling, manufacturing, or distributing for sale certain dishwashing detergent that contains greater than a certain amount of phosphorus; and generally relating to phosphorus in dishwashing detergents.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1502
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1503
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 711 – Senator Lenett

AN ACT concerning

Truth in Music Advertising Act

FOR the purpose of prohibiting a person from advertising or conducting a live musical performance or production in the State through the use of a false, deceptive, or misleading affiliation, connection, or association between a performing group and a recording group; providing for certain exceptions; authorizing the Attorney General to seek an injunction to prohibit a person from continuing or engaging in a violation under certain circumstances; authorizing a court to enter a judgment to restore to certain persons any money or real or personal property acquired by means of any prohibited practice; providing that a person who violates this Act is subject to a certain civil penalty; providing that each performance or production in violation of this Act is a separate violation; defining certain terms; and generally relating to the Truth in Music Advertising Act.

BY adding to
Article – Commercial Law
Section 11–1501 through 11–1504 to be under the new subtitle “Subtitle 15.
Truth in Music Advertising Act”
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 712 – Senators Haines, Astle, Brinkley, Colburn, DeGrange, Della, Exum, Garagiola, Glassman, Kramer, Munson, Stoltzfus, and Stone

AN ACT concerning

Vehicle Laws – Failure to Yield Right-of-Way – Penalties for Death or Serious Bodily Injury

FOR the purpose of establishing that if a person fails to yield the right-of-way in violation of certain provisions of law and the violation contributes to an accident that results in the death or serious bodily injury of another, the person is subject to a certain fine and the Motor Vehicle Administration is authorized to suspend the person's license for a certain period of time; providing that a licensee may request a hearing on a license suspension imposed under this Act; and generally relating to penalties for a failure to yield the right-of-way that contributes to an accident that results in death or serious bodily injury.

BY adding to

Article – Transportation

Section 27-114

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 713 – Senators Astle, Brinkley, Colburn, DeGrange, Della, Garagiola, Haines, Kramer, Munson, Stoltzfus, and Stone

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

FOR the purpose of authorizing the use of certain auxiliary lighting on a motorcycle; and generally relating to motorcycle lighting.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22-224.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 714 – Senators Klausmeier, Brochin, Colburn, Currie, Rosapepe, and Stone

AN ACT concerning

State Board of Education – Development of Curriculum Content – Financial Literacy

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain curriculum content to include certain instruction; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the development and implementation of a course in financial literacy.

BY adding to

Article – Education

Section 7–205.2

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 715 – Senators Klausmeier, Astle, Colburn, Glassman, Jacobs, Kittleman, Mooney, and Stone

AN ACT concerning

Income Tax – Subtraction Modification – Military Compensation Outside the State

FOR the purpose of altering the subtraction modification under the Maryland income tax for certain military compensation paid under specified circumstances; providing for the application of this Act; and generally relating to taxation of certain military compensation.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(p)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 716 – Senators Klausmeier, Brochin, Colburn, and Stone

AN ACT concerning

Alcoholic Beverages – Home Brewing Instructor’s Permit

FOR the purpose of establishing a home brewing instructor’s permit; providing a permit fee; authorizing the Office of the Comptroller to issue a permit to certain individuals; authorizing a permit holder to teach a client methods of brewing beer under certain circumstances; restricting the use of beer produced for certain purposes; prohibiting a permit holder from holding a certain license or other permit; authorizing the Office of the Comptroller to adopt certain regulations; and generally relating to a home brewing instructor’s permit.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(b)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(s–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 717 – Senator Klausmeier

AN ACT concerning

Pharmacists – Administration of Vaccinations – Expanded Authority

FOR the purpose of expanding the authority of pharmacists to administer vaccinations to individuals under certain circumstances; authorizing the State Board of Pharmacy to set certain fees; granting the Board sole authority to adopt certain regulations; and generally relating to the expansion of the authority of pharmacists to administer vaccinations.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 12–508
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 718 – Senator Klausmeier

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

FOR the purpose of authorizing a person who intends to acquire a property that is considered to be affected under certain lead risk reduction provisions to submit a compliance plan to the Department of the Environment; requiring a person who has acquired, or will acquire, an affected property to give certain notice and information at a certain time; establishing a process and a fee for submitting an application for a compliance plan; requiring the Department to approve or deny the plan, or request additional information, within a certain number of days after the plan is submitted; authorizing the Department to deny certain applications under certain circumstances; requiring either certain proof that a certain risk reduction standard has been satisfied or a certain inspection report to be filed with the Department under certain circumstances; providing that a compliance plan is void under certain circumstances; providing certain protections for an owner after a plan is approved; providing that if the owner fails to comply with the compliance plan, the owner shall be considered noncompliant as of a certain date; authorizing the Department to adopt certain regulations; and generally relating to acquiring property with lead risks.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–820 and 6–823
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–824 and 6–836
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY adding to
Article – Environment
Section 6–825
Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 719 – Senator Klausmeier

AN ACT concerning

Health Insurance – Carrier Provider Panels – Standards for Availability of Health Care Providers

FOR the purpose of requiring certain standards, maintained by certain health insurance carriers for certain availability of certain health care providers, to be submitted to, and approved by, the Maryland Insurance Commissioner each year; requiring the Commissioner to require certain health insurance carriers to submit certain data to the Commissioner for review in making a certain determination and a certain assessment about certain standards; and generally relating to carrier provider panels under health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (3), (5), (6), (7), and (8)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 720 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy and Therapeutics Committee

FOR the purpose of establishing certain requirements for members of a pharmacy and therapeutics committee of a pharmacy benefits manager; making certain provisions of law applicable to health maintenance organizations; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to
Article – Insurance

Section 15–1601 to be under the new subtitle “Subtitle 16. Pharmacy Benefits Managers”
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–706(ppp)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 721 – Senator Klausmeier

AN ACT concerning

Gas Companies and Electric Companies – Annual Reports

FOR the purpose of requiring each gas company and each electric company to file a separate annual report for each of its nonregulated affiliated or subsidiary companies that operates in the State; and generally relating to annual reports submitted by gas companies and electric companies to the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 6–205
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 722 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Registration

FOR the purpose of requiring a person to register with the Maryland Insurance Commissioner before the person acts as or represents itself as a pharmacy benefits manager in the State; exempting certain managed care organizations, insurers, nonprofit health service plans, and health maintenance organizations, and affiliates, subsidiaries, or other related entities of certain insurers, nonprofit health service plans, and health maintenance organizations from certain provisions of this Act under certain circumstances; requiring an applicant for registration to file an application on a certain form and pay to the

Commissioner a certain fee; requiring the Commissioner to register certain applicants; providing for the expiration and renewal of a registration; prohibiting a pharmacy benefits manager from taking certain actions; authorizing the Commissioner to deny, suspend, or revoke a registration or refuse to renew a registration under certain circumstances and subject to certain hearing provisions; authorizing the Commissioner, if a registration is suspended or revoked, to permit the continued operation of a pharmacy benefits manager for a certain period of time under certain circumstances; requiring a pharmacy benefits manager to register as a third party administrator or a private review agent under certain circumstances; requiring a certain pharmacy benefits manager to pay and adjust claims according to certain statutory requirements; prohibiting an insurer, a nonprofit health service plan, or a health maintenance organization from entering into an agreement with a pharmacy benefits manager that has not registered with the Commissioner; requiring the Commissioner to conduct a certain examination in accordance with certain provisions of law; requiring a pharmacy benefits manager to maintain certain books and records for a certain period and in accordance with certain standards; requiring the Commissioner to adopt certain regulations on or before a certain date; providing certain penalties; altering the definition of a “nonresident pharmacy” to include a pharmacy benefits manager under certain provisions of law; requiring a nonresident pharmacy to meet certain requirements; making certain provisions of law applicable to health maintenance organizations; allowing a certain person to continue to act as a pharmacy benefits manager without registering with the Commissioner under certain circumstances; defining certain terms; and generally relating to regulation and registration of pharmacy benefits managers.

BY adding to

Article – Insurance

Section 15–1601 through 15–1613 to be under the new subtitle “Subtitle 16.
Pharmacy Benefits Managers”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health – General

Section 19–706(ppp)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(m) and 12–403(e) and (f)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 12–403(a), (b)(17), (d), and (g)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 723 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Prescription Drug Substitution

FOR the purpose of prohibiting a pharmacy benefits manager from substituting one prescription drug for the drug originally prescribed unless certain conditions are met; requiring a pharmacy benefits manager to disclose certain information to a purchaser if a drug substitution is made; requiring a pharmacy benefits manager to obtain a certain authorization to make a drug substitution and to make certain disclosures to a prescriber; providing for certain exceptions; prohibiting a pharmacy benefits manager from substituting a drug for a currently prescribed drug unless the pharmacy benefits manager provides a beneficiary or the beneficiary’s representative with certain information; requiring a pharmacy benefits manager to maintain a certain toll-free telephone number; providing certain penalties; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to

Article – Insurance
Section 15–1601 to be under the new subtitle “Subtitle 16. Pharmacy Benefits Managers”
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 724 – Senators Klausmeier and Della

AN ACT concerning

Pharmacy Benefits Managers – Transparency

FOR the purpose of requiring a pharmacy benefits manager to disclose in writing certain information to a prospective purchaser and a purchaser; specifying the manner in which certain disclosures must be provided; providing that a pharmacy benefits manager need not make certain disclosures unless and until the prospective purchaser or the purchaser agrees in writing to maintain certain information as confidential; providing that certain agreements may

include certain remedies and certain persons; requiring a contract executed by a pharmacy benefits manager for the provision of pharmacy benefits management services to include certain items; requiring the Commissioner to adopt certain regulations on or before a certain date; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to

Article – Insurance

Section 15–1601 through 15–1609 to be under the new subtitle “Subtitle 16. Pharmacy Benefits Managers”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health – General

Section 19–706(ppp)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 725 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Contracts with Pharmacies

FOR the purpose of requiring a pharmacy benefits manager to enter into certain contracts with pharmacy providers under certain circumstances; specifying certain requirements of the contracts; specifying provisions that apply to audits carried out by pharmacy benefits managers of pharmacies or pharmacy claims; providing certain penalties; defining certain terms; and generally relating to regulation of pharmacy benefits managers’ contracts with pharmacies.

BY adding to

Article – Insurance

Section 15–1601 to be under the new subtitle “Subtitle 16. Pharmacy Benefits Managers”

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 726 – Senators Klausmeier, Della, and Pugh

AN ACT concerning

Pharmacy Benefits Managers – Choice of Pharmacy

FOR the purpose of prohibiting a pharmacy benefits manager from establishing the amount of a certain reimbursement on a certain basis; prohibiting a pharmacy benefits manager from imposing a certain copayment, deductible, limit on quantity, or other condition under certain circumstances; requiring an insurance policy or contract or a pharmacy benefits manager to allow an insured or certificate holder to obtain pharmaceutical benefits from the pharmacy or pharmacist of the insured or certificate holder's choice within any pharmacy network; exempting certain managed care organizations from certain provisions of this Act; requiring a pharmacy benefits manager to allow a beneficiary to obtain covered pharmacy services from a certain pharmacy provider and allow a certain pharmacy that can meet certain conditions to provide certain services; requiring certain disclosures to comply with certain privacy standards; providing certain penalties; altering the definition of a "nonresident pharmacy" to include a pharmacy benefits manager under certain provisions of law; requiring a nonresident pharmacy to meet certain requirements; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–805

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Insurance

Section 15–1601 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers"

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–101(m) and 12–403(e) and (f)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–403(a), (b)(17), (d) and (g)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 727 – Senators Klausmeier and Kasemeyer

AN ACT concerning

Public Utility Companies – Electric Companies – Tree Care Activities

FOR the purpose of requiring an electric company to contact certain community associations before undertaking certain tree care activities under certain circumstances; requiring an electric company to publish a certain notice in a certain manner under certain circumstances; requiring an electric company to provide for public comment and hold a public hearing in a certain manner under certain circumstances; authorizing a landowner to procure a tree expert for tree removal under certain circumstances; and generally relating to electric companies and tree care activities.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–103
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 728 – Senator Madaleno

AN ACT concerning

Maryland Voluntary Employee Accounts Program

FOR the purpose of establishing the Maryland Voluntary Employee Accounts Program; requiring the State Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans to implement, maintain, and administer the Program and certain retirement plans for certain employees; requiring the Board of Trustees to submit certain information to certain employers and employees; authorizing the Board of Trustees to employ certain individuals; providing that certain individuals employed by the Board of Trustees are subject to certain provisions of the State Personnel and Pensions Article; providing for the method of payment of certain expenses incurred by the Board of Trustees as a result of administering the Program; requiring the Governor to include certain funds in the State budget; authorizing certain assets to be deposited and invested in a certain manner; authorizing the Board of Trustees to establish certain retirement plans; providing for participation in a certain retirement plan; requiring the Board of Trustees to obtain certain approvals, rulings, opinions, and confirmations from certain federal authorities or agencies; making certain provisions of this Act contingent on receipt of certain approvals, rulings, opinions, and confirmations from certain federal authorities or agencies; defining certain terms; providing for the effective date

of certain provisions of this Act; and generally relating to the Maryland Voluntary Employee Accounts Program.

BY adding to

Article – State Personnel and Pensions

Section 41–101 through 41–401 to be under the new title “Title 41. Maryland Voluntary Employee Accounts Program”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 729 – Senator Rosapepe

AN ACT concerning

Workers’ Compensation Insurance – Premium Rates

FOR the purpose of requiring the premium rates for workers’ compensation insurance to be determined by the actual number of hours worked in each manual rate classification; prohibiting the premium rates for workers’ compensation insurance from being computed as a percentage of an employer’s payroll; and generally relating to premium rates for workers’ compensation insurance.

BY adding to

Article – Insurance

Section 19–403.1

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 730 – Senator Harris

AN ACT concerning

Task Force on Administrative Compensation for Birth–Related Neurological Injury

FOR the purpose of establishing a Task Force on Administrative Compensation for Birth–Related Neurological Injury; establishing the membership of the Task Force; providing staff support for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to be reimbursed for certain expenses; providing for the duties of the Task Force; requiring the members of the Task Force to be appointed by a certain date; requiring the Task Force to issue an interim report and a final report of its findings and recommendations by certain dates; providing for the

termination of the Task Force; and generally relating to the Task Force on Administrative Compensation for Birth-Related Neurological Injury.

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 731 – Senator Harris

AN ACT concerning

Creation of a State Debt – Franklin Square Hospital Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,130,000, the proceeds to be used as a grant to the Board of Directors of Franklin Square Hospital Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 732 – Harford County Senators

AN ACT concerning

Harford County – Gaming

FOR the purpose of requiring the Sheriff of Harford County to charge a certain fee for a 50/50 license; increasing the maximum money prizes that may be awarded for certain games; authorizing certain organizations to conduct a game of 50/50 at a certain event if the organization acquires a license; and generally relating to gaming in Harford County.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1501(a), (c), and (f), 13–1502(a), and 13–1503(b)

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1503(d), 13–1504(b), 13–1505(c), and 13–1508

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 733 – Senator Stone

AN ACT concerning

Vehicles Equipped for Disabled Individuals – Fees and Taxes

FOR the purpose of exempting vehicles that are equipped to transport disabled individuals who require certain equipment from the motor vehicle excise tax and certain motor vehicle registration fees; and generally relating to vehicles used by disabled individuals.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–810(a) and 13–903(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 734 – Senator Miller

AN ACT concerning

Calvert County – Chesapeake Beach Railway Trail Loan of 2001

FOR the purpose of amending the Calvert County – Chesapeake Beach Railway Trail Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by June 1, 2011; and generally relating to the Calvert County – Chesapeake Beach Railway Trail Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 175 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 735 – Senators Miller, Astle, Brinkley, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Forehand, Frosh, Garagiola, Gladden, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Coordinating Emerging Nanobiotechnology Research (CENTR) in Maryland Program

FOR the purpose of establishing the Coordinating Emerging Nanobiotechnology Research in Maryland Program to be administered by the Maryland Technology Development Corporation to provide grants for certain nanobiotechnology research projects; establishing the purposes of the Program; establishing certain types of grants to be awarded under the Program; declaring the intent of the General Assembly; requiring the Corporation to adopt certain regulations; requiring the Corporation to include certain information in a certain report to the General Assembly; defining certain terms; expressing certain legislative intent related to certain appropriations to the Program; and generally relating to the creation of a program for nanobiotechnology research.

BY adding to

Article – Economic Development

Section 10-445 through 10-451 to be under the new part “Part IV. Coordinating Emerging Nanobiotechnology Research in Maryland Program”

Annotated Code of Maryland

(As enacted by Chapter __ (H.B.__)(8lr0698) of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Finance.

Senate Bill 736 – Senator Muse

AN ACT concerning

Property Tax Credit – Individuals at Least 65 Years Old

FOR the purpose of requiring the governing body of each county and each municipal corporation to grant a certain property tax credit to certain individuals of at least a certain age; providing for the amount of the credit for applicable tax years; providing for the application of this Act; and generally relating to property tax credits for certain individuals of at least a certain age.

BY adding to

Article – Tax – Property

Section 9-110

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 737 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – National Children’s Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Board of Directors of the National Children's Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 738 – Senator Muse

AN ACT concerning

Task Force to Study the Feasibility of Establishing a State Police Barrack in Legislative District 26

FOR the purpose of establishing a Task Force to Study the Feasibility of Establishing a State Police Barrack in Legislative District 26; providing for the composition of the Task Force; requiring the Secretary of State Police to designate two cochair of the Task Force in a certain manner; requiring the Department of State Police to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; entitling a member of the Task Force to reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding the feasibility of establishing a State police barrack in legislative district 26 and to include an assessment of certain operating and capital costs and the needs of local residents and businesses for the barrack; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to establishing a Task Force to Study the Feasibility of Establishing a State Police Barrack in Legislative District 26.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 739 – Senator Muse

AN ACT concerning

Task Force to Study the Department of Juvenile Services

FOR the purpose of establishing a Task Force to Study the Department of Juvenile Services; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the Office of the Governor to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member to receive certain

reimbursement; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the Department of Juvenile Services.

Read the first time and referred to the Committee on Finance.

Senate Bill 740 – Senator Muse

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Person in a Position of Authority

FOR the purpose of repealing a certain statute of limitations for the prosecution of a certain misdemeanor; expanding the offense of sexual offense in the third degree to prohibit a certain person in a position of authority from engaging in sexual contact, a sexual act, or vaginal intercourse with a certain person under a certain age under certain circumstances; establishing that a certain penalty applies to a certain offense; repealing certain provisions making the prohibition on a certain person in a position of authority from engaging in sexual contact, a sexual act, or vaginal intercourse with a certain person under a certain age under certain circumstances a sexual offense in the fourth degree; defining a certain term; repealing a certain definition; making certain conforming changes; and generally relating to a sexual offense involving a person in a position of authority and a person under a certain age under certain circumstances.

BY repealing

Article – Courts and Judicial Proceedings
Section 5–106(aa)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–307 and 3–308
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 741 – Senators Miller and Dyson

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$8,895,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 742 – Senator Zirkin

AN ACT concerning

Human Services – Residential Child Care Program – Bill of Rights

FOR the purpose of providing that a contract awarded or renewed between a certain agency and a provider of a residential child care program shall require the provider to conspicuously post a “Residents’ Bill of Rights” in the facility of the provider that includes certain rights; requiring a provider of a residential child care program to develop and, on placement, provide to residents and their parents or legal guardians a handbook of the policies of the provider and the contracting agency as they relate to certain issues; providing that nothing in this Act precludes an agency or provider from providing additional rights to a resident; and generally relating to residential child care programs.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 8–701

Annotated Code of Maryland

(2007 Volume)

BY adding to

Article – Human Services

Section 8–707

Annotated Code of Maryland
(2007 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 743 – Senator Pugh

AN ACT concerning

**Workers' Compensation – Law Enforcement Officers – Lyme Disease
Presumption**

FOR the purpose of applying the occupational disease presumption under the workers' compensation law to certain law enforcement officers who contract Lyme disease under specified circumstances; providing that certain law enforcement officers who are eligible for benefits under this Act shall receive the benefits in addition to certain retirement benefits, subject to a certain adjustment; making certain conforming changes; defining certain terms; and generally relating to the occupational disease presumption for Lyme disease under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(d) and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(e)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 744 – Senator Pugh

AN ACT concerning

Task Force on Health Care Access and Reimbursement – Additional Duties

FOR the purpose of altering the charge to the Task Force on Health Care Access and Reimbursement to develop certain recommendations; and generally relating to the recommendations of the Task Force on Health Care Access and Reimbursement.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–710.3(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 745 – Senators Colburn, Dyson, Klausmeier, and McFadden

AN ACT concerning

Alcoholic Beverages – Definitions – Beer

FOR the purpose of altering the definition of beer as used in certain provisions of State law; making certain stylistic changes; and generally relating to alcoholic beverages.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(1) and (2)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–101(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 5–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 746 – Senator Brochin

AN ACT concerning

Electric Companies – Removal or Clearing of Trees – Notice and Cease and Desist Order

FOR the purpose of prohibiting an electric company from removing or clearing one or more trees on a public utility right-of-way or land except in accordance with certain procedures; requiring an electric company to send a notice to certain property owners in a certain manner; requiring that a copy of the notice be sent to the Public Service Commission and the Consumer Protection Division of the Office of the Attorney General, with certain exceptions; requiring the Commission to adopt certain regulations; allowing a certain owner to submit a certain written request to the Division within a certain time; allowing the Division to issue a cease and desist order under certain circumstances; specifying a certain application of a cease and desist order; requiring the Division to act as a mediator within a certain time to make a certain determination; requiring the Division to determine a mediation plan under certain circumstances; allowing an electric company to appeal a certain mediation plan; and generally relating to a notice of the removal or clearing of trees by electric companies and the issuance of cease and desist orders.

BY adding to

Article – Public Utility Companies
Section 7-309
Annotated Code of Maryland
(1998 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 747 – Senator Brochin

AN ACT concerning

Creation of a State Debt – St. Joseph Medical Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of St. Joseph Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 748 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Mary Harvin Transformation Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of the Mary Harvin Transformation Center Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 749 – Senator McFadden

AN ACT concerning

Retirement and Pensions – Election of Benefits – Surviving Spouses

FOR the purpose of providing that surviving spouses of certain members of the Employees' Retirement System or Employees' Pension System may make certain elections with regard to retirement allowances and survivorship benefits within a certain period of time; requiring that certain survivorship benefits be calculated in a certain manner; requiring that certain survivorship benefits be reduced by a certain amount; requiring certain surviving spouses of certain members of the Employees' Retirement System or Employees' Pension System to complete and file certain documents with the Board of Trustees of the State Retirement and Pension System within a certain period of time; prohibiting certain surviving spouses of certain members of the Employees' Retirement System or Employees' Pension System from changing certain elections regarding certain retirement allowances and survivorship benefits; and generally relating to changing retirement allowance and survivorship benefit selections in the Employees' Retirement System and Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–401
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions

Section 21-403
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 750 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Roberta’s House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Roberta’s House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 751 – Senator Dyson

AN ACT concerning

St. Mary’s County Board of Elections – Salary

FOR the purpose of increasing the salary of the members of the St. Mary’s County Board of Elections; providing that this Act does not apply to the salary or compensation of the incumbent members of the St. Mary’s County Board of Elections; and generally relating to the salary of the members of the St. Mary’s County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2-204(a)(19)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 752 – Senator Dyson

AN ACT concerning

St. Mary's County – St. Clement's Island Lighthouse Memorial Loan of 2001

FOR the purpose of amending the St. Clement's Island Lighthouse Memorial Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for a certain purpose by a certain date.

BY repealing and reenacting, with amendments,
Chapter 162 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 753 – Senator Munson

AN ACT concerning

Creation of a State Debt – Washington County – Conococheague Aqueduct

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Chesapeake and Ohio Canal National Historical Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 754 – Senator Edwards

AN ACT concerning

Garrett County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Garrett County, from time to time, to borrow not more than \$10,000,000 in order to finance, with certain restrictions, certain projects in Garrett County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; providing that nothing in this Act shall prevent the County from authorizing

the issuance and sale of bonds or refunding bonds, if the interest on or income derived from the bonds is not exempt from State, local, or other taxation in the State; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 755 – Senator Dyson

AN ACT concerning

Election Law – Slot Machine Gaming Referendum – Campaign Finance Reports by Corporations

FOR the purpose of requiring a corporation to file certain information on a certain form about itself and its activities in connection with a certain slot machine gaming referendum; requiring the corporation thereafter to file certain campaign finance reports with regard to its expenditures in connection with a certain slot machine gaming referendum; and generally relating to expenditures and the filing of campaign finance reports by a corporation in connection with a certain slot machine gaming referendum.

BY repealing and reenacting, with amendments,
Chapter 4 of the Acts of the General Assembly of the 2007 Special Session
Section 10

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 756 – Senator Greenip

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Second Genesis Security System

FOR the purpose of authorizing the creation of a State Debt in the amount of \$28,000, the proceeds to be used as a grant to the Board of Directors of Second Genesis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 757 – Senator Colburn

AN ACT concerning

Wetlands – Construction of Structure on Pier – Dorchester County

FOR the purpose of exempting Dorchester County from certain provisions limiting the construction of a dwelling unit or other non–water dependent structure on a pier located on State or private wetlands in Dorchester County; and generally relating to construction of dwelling units or other non–water dependent structures on piers.

BY repealing and reenacting, with amendments,

Article – Environment

Section 16–104

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 758 – Senator Colburn

AN ACT concerning

Property Tax – Agricultural Use Assessment

FOR the purpose of altering the valuation and assessment for property tax purposes of certain property that is used as a migrant labor camp under certain circumstances; providing for the application of this Act; and generally relating to the valuation and assessment of certain property used as a migrant labor camp.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 8–209(a) through (d)

Annotated Code of Maryland

(2007 Replacement Volume)

BY adding to

Article – Tax – Property

Section 8–209(j)

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 759 – Senator Stone

AN ACT concerning

Income Tax – Subtraction Modification for Retirement Income – Rollovers to Individual Retirement Accounts

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain retirement income under certain circumstances; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 760 – Senator Stone

AN ACT concerning

Homestead Property Tax – Residence of Homeowner’s Family Member

FOR the purpose of altering the definition of a dwelling that qualifies for the homestead property tax credit to include certain homes that are the only residence of a family member of the homeowner; providing that a dwelling must be occupied by a certain day to qualify for the homestead property tax credit; providing that a homeowner may claim a homestead property tax credit for two dwellings under certain circumstances; and generally relating to the homestead property tax credit for certain dwellings that are the only residence of a family member of the homeowner.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(a)(2), (c)(2) and (3), and (d)(2) and (3)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 761 – Senator Stone

AN ACT concerning

Homeowner's Property Tax Credit – Cost-of-Living Adjustment

FOR the purpose of altering the computation of the homeowner's property tax credit for certain taxable years based on a certain cost-of-living adjustment percentage; requiring the Department of Assessments and Taxation to determine a certain cost-of-living adjustment percentage by a certain date based on the increase in a certain consumer price index for a certain period; providing for the application of this Act; and generally relating to altering the computation of the homeowner's property tax credit.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–104 (a)(13), (h), and (k)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 762 – Senator Conway

AN ACT concerning

Real Estate Brokers – Record Keeping

FOR the purpose of requiring a real estate broker to retain certain records for a certain period of time; authorizing a broker to store records in a certain manner under certain circumstances; requiring a real estate broker to make certain records available to the State Real Estate Commission; and generally relating to record keeping requirements for real estate brokers.

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions
Section 17–101(a), (d), and (n) and 17–508
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 17–507
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 763 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore City – Long-Term Care at Stadium Place

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the Govans Ecumenical Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 764 – Senator Conway

AN ACT concerning

State Board of Dental Examiners – Nomination of Members – Investigation and Disciplinary Procedures – Data Collection

FOR the purpose of requiring certain academies, associations, organizations, or societies committed to the practice of dentistry and dental hygiene to submit to the Governor certain lists of names of individuals for nomination for membership on the State Board of Dental Examiners; requiring that individuals on certain lists reflect certain diversity of the State; requiring that certain members appointed to the Board reflect certain diversity of the State; requiring the Governor to appoint a president of the Board from among certain Board members; requiring the executive director of the Board to report to the Secretary of Health and Mental Hygiene; altering the parties who may initiate or file certain complaints; prohibiting certain complaints from being filed more than a certain time after a certain date; requiring that certain investigations be based on certain facts; prohibiting the Board from investigating certain complaints; prohibiting certain assistant attorneys general from assisting in or conducting certain investigations; prohibiting certain assistant attorneys general from being involved in certain disciplinary proceedings until certain votes to charge have taken place; prohibiting the Board from conducting certain records under certain circumstances; prohibiting the Board from continuing certain investigations under certain circumstances; requiring the Board to conclude certain actions on complaints within a certain time after a complaint is filed unless the Board can demonstrate certain delays; requiring the Board to adopt certain regulations concerning certain disciplinary procedures before a certain date; requiring the Board to begin collecting certain information on race

and ethnicity, develop a certain methodology and database for tracking and analyzing certain complaints, institute a certain status report monitoring tool for certain disciplinary cases, implement a certain case-audit study, and develop a certain nominating process by a certain date; requiring the Office of the Attorney General to provide a rotation process for certain assistant attorneys general; requiring the Board to submit a certain report by a certain date; and generally relating to the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4-202(a), 4-203, 4-204(c), and 4-316
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 765 – Senator Conway (By Request)

AN ACT concerning

Hospitals – Nursing Care Committees, Staffing Plans, and Commission on Nursing Acuity

FOR the purpose of requiring certain facilities to provide the Health Services Cost Review Commission with certain information; requiring hospitals to create a nursing care committee that performs certain duties; requiring the nursing care committee to include a certain percentage of certain registered nurses; requiring hospitals to adopt and implement a certain written staffing plan; requiring a hospital to give consideration to certain factors when adopting and implementing the staffing plan; requiring the written staffing plan to be posted in a certain location; establishing the Commission on Nursing Acuity; providing for the membership of the Commission; requiring the Governor to designate the chair of the Commission; requiring the Commission to meet a certain number of times a year; providing for the staffing of the Commission; providing that a member of the Commission may not receive a certain compensation but is entitled to a certain reimbursement; providing for the duties of the Commission; requiring the Commission to submit a certain annual report to certain committees of the General Assembly; and generally relating to hospitals and nursing care committees, staffing plans, and the Commission on Nursing Acuity.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19-218(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health – General
Section 19–310.2 and 19–310.3
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to

Article – Health Occupations
Section 8–7C–01 through 8–7C–06 to be under the new subtitle “Subtitle 7C.
Commission on Nursing Acuity”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 766 – Senator Conway

AN ACT concerning

Maryland Revised Anatomical Gift Act

FOR the purpose of repealing the Maryland Anatomical Gift Act and enacting the Maryland Revised Anatomical Gift Act; authorizing certain individuals to make, amend, or revoke anatomical gifts; providing the methods by which anatomical gifts may be made; authorizing certain individuals to refuse to make certain anatomical gifts; establishing certain circumstances under which an anatomical gift is prohibited; establishing the persons to which certain anatomical gifts may be made; establishing a certain priority if more than one person in a certain class makes a gift; establishing certain purposes for which certain anatomical gifts can be made; establishing a certain priority for certain anatomical gifts if more than one purpose is given for the anatomical gift; requiring certain persons to search certain individuals for a document of gift or other information identifying the individual as a donor under certain circumstances; requiring certain individuals to allow certain examination and copying of certain anatomical gifts or refusals; requiring that certain procurement organizations be allowed certain access to certain records of the Motor Vehicle Administration; authorizing certain procurement organizations to make certain examinations to ensure the medical suitability of certain anatomical gifts; providing for the acceptance and removal of certain anatomical gifts; establishing certain acts as felonies and establishing certain penalties; providing that certain persons are guilty of a felony and subject to a certain penalty for purchasing or selling certain parts under certain circumstances; authorizing a person to charge a certain amount for providing certain services; providing that certain persons that act in good faith are not liable in certain civil actions; requiring the Secretary of Health and Mental

Hygiene to contract with and provide compensation to a certain nonprofit entity for the establishment, maintenance, and operation of a donor registry; requiring that the Organ and Tissue Donation Awareness Fund provide funds for the establishment, operation, and maintenance of a certain donor registry; requiring the Motor Vehicle Administration to cooperate in the transfer of certain information to the donor registry; establishing certain administrative terms for the donor registry; providing for the resolution of conflicts between certain anatomical gifts and certain advance directives; requiring that certain procurement organizations and the Office of the Chief Medical Examiner (OCME) cooperate to maximize the opportunity to recover certain anatomical gifts and to facilitate certain OCME investigations; providing for the terms of the recoveries between certain procurement organizations and the OCME; providing for the resolution of conflicts between certain anatomical gift designations and certain investigations by the OCME; providing that this Act supersedes a certain federal statute; requiring that certain directions to make, amend, revoke, or refuse to make an anatomical gift be recorded in certain medical records; altering the circumstances under which the consent of certain representatives is not necessary; requiring the custodian of certain motor vehicle records containing personal information to disclose certain personal information for use by certain procurement organizations under certain circumstances; repealing a certain provision prohibiting that certain donor designations appear on certain minors' drivers' licenses; requiring that, subject to certain funding, the Department of Health and Mental Hygiene conduct a certain study on nontransplant tissue banks on or before a certain date; making certain technical changes; defining certain terms; and generally relating to the Maryland Revised Anatomical Gift Act.

BY repealing

Article – Estates and Trusts

Section 4–501 through 4–512 and the subtitle “Subtitle 5. Maryland Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY adding to

Article – Estates and Trusts

Section 4–501 through 4–522 to be under the new subtitle “Subtitle 5. Maryland Revised Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–408, 5–604.1, 13–901, and 19–310(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(p)(5)(xiii) and (xiv)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 10–616(p)(5)(xv)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–303
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 767 – Senator Conway

AN ACT concerning

Health Occupations – Board of Pharmacy – Remote Automated Medication Systems

FOR the purpose of authorizing certain pharmacists to dispense certain medication from certain pharmacies or from certain remote locations; requiring certain pharmacists to be responsible for certain dispensing, repackaging, delivery, control of, and accountability of certain medications in certain remote automated medication systems; requiring certain pharmacists to review certain medication orders for accuracy, completeness, and appropriateness before being placed in certain systems subject to certain exceptions; exempting certain health care facilities and certain systems from certain requirements under certain circumstances; requiring certain pharmacists, in consultation with certain health care facilities, to develop and implement certain quality assurance programs; defining certain terms; and generally relating to remote automated medication systems regulated by the Board of Pharmacy.

BY adding to
Article – Health Occupations
Section 12–605
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 768 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Health Care for the Homeless

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Health Care for the Homeless, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

Senate Bill 769 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Southwest Senior and Community Multipurpose Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of the Communities Organized to Improve Life, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 770 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – The Sellers Mansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the St. James Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a

requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 771 – Senator Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Fiduciaries – Powers

FOR the purpose of authorizing a personal representative to become a limited partner in any partnership or a member in any limited liability company, including a single member limited liability company; authorizing a fiduciary to continue as or become a member in any limited liability company, including a single member limited liability company; and generally relating to the powers of personal representatives and fiduciaries.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(u) and 15–102(q)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 772 – Senators Pugh and McFadden

AN ACT concerning

State Procurement – Structuring and Bundling of Procurements

FOR the purpose of prohibiting a unit of State government subject to the State procurement law from structuring or bundling a procurement for the purpose of precluding or limiting participation by certain entities; and generally relating to prohibitions governing the structuring or bundling of a procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–201
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 773 – Senators Pugh and McFadden

AN ACT concerning

State Department of Education – Adult Education and Family Literacy Services

FOR the purpose of requiring the State Department of Education to compile a certain list by county of adult education and family literacy services offered to the public; requiring the Department to distribute the list to certain local school officials and to post the list on its public website; and generally relating to the compilation and distribution of information about adult education and family literacy services.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–218
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 774 – Senator Pugh

AN ACT concerning

Maryland Medical Assistance Program – Managed Care Organization – Hospital Ancillary Services

FOR the purpose of requiring a managed care organization participating in the Maryland Medical Assistance Program to separately and independently determine the medical necessity of certain ancillary services provided during a hospitalization from the medical necessity of a certain hospitalization; prohibiting certain managed care organizations from basing the denial of certain payments for certain ancillary services provided during a hospitalization on a certain determination of the medical necessity of a certain hospitalization; specifying that hospitalization includes care provided in a hospital emergency department; and generally relating to hospital ancillary services and managed care organizations participating in the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (b)(1)
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(b)(22)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 775 – Senator Pugh

AN ACT concerning

Maryland Medbank Program – Funding

FOR the purpose of authorizing certain funds to be transferred and appropriated to the Department of Health and Mental Hygiene in a certain fiscal year for a certain purpose; and generally relating to funding for the Maryland Medbank Program.

Read the first time and referred to the Committee on Finance.

Senate Bill 776 – Senator Jones

AN ACT concerning

Tax Credit for Employer–Established Paid Work–Based Learning Programs

FOR the purpose of authorizing certain persons to establish certain approved paid work–based learning programs under which arrangements are made to provide certain structured employer–supervised learning; allowing a credit against the State income tax for wages paid to certain individuals under an approved paid work–based learning program; providing for calculation of the credit; providing for the carrying forward of the credit if the credit exceeds the total tax otherwise payable for a taxable year; providing for the termination of the credit after a certain taxable year; requiring that a certain study be done and provided to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of this Act; and generally relating to the establishment of approved paid work–based learning programs and a credit against the State income tax for certain wages paid to certain individuals under an approved paid work–based learning program.

BY adding to
Article – Labor and Employment

Section 11-801 to be under the new subtitle "Subtitle 8. Approved Paid Work-Based Learning Programs"
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

BY adding to
Article – Tax – General
Section 10-711
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 777 – Senator Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – MacDonald Knolls Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of CHI Centers, Inc., for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 778 – Senator Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Centro Familia Child Care and Training Center Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Institute for Family Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 779 – Senator Madaleno

AN ACT concerning

**Legislative Community Initiatives Loan of 2004 - Montgomery County -
Kensington Recreation Center**

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to alter the authorized uses of the grant and to extend the date by which the County Executive and County Council of Montgomery County must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by
Chapter 432 of the Acts of the General Assembly of 2004, and Chapter
608 of the Acts of the General Assembly of 2006
Section 13(3)(i) Item (AM)

Read the first time and referred to the Committee on Budget and Taxation.

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 4, 2008

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401-1991

Dear Mr. President:

It is a pleasure to submit the following 2008 Session nominations for confirmation by the Maryland State Senate.

Maryland Court of Special Appeals

Alexander Wright, Jr.

Appointment, At Large

Term of 10 years from January 28, 2008

Robert Anthony Zarnoch

Appointment, At Large

Term of 10 years from January 28, 2008

I trust you will find these individuals to be well qualified and highly deserving of your support for the offices in which they will serve. Biographical information is attached. We will be pleased to furnish any additional information helpful to your review. Your favorable consideration of these nominations is appreciated.

Sincerely,

Governor

STATEWIDE BOARDS	
APPEALS, MARYLAND COURT OF SPECIAL	
Alexander Wright, Jr. 12515 Sagamore Forest Lane Reisterstown, Maryland 21136 11	Appointment At Large For a term of 10 years from January 28, 2008
Robert Anthony Zarnoch 2829 Dana Court Ellicott City, Maryland 21042 09	Appointment At Large For a term of 10 years from January 28, 2008

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 105)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #5

**Senate Bill 58 - Chair, Judicial Proceedings Committee (By Request -
Maryland Judicial Conference)**

AN ACT concerning

District Court - Commissioners - Jurisdiction

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 106)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 107)

ADJOURNMENT

At 8:30 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 5, 2008.

Annapolis, Maryland
Tuesday, February 5, 2008
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Pastor Dallas Bumgarner, Elvaton Baptist Church, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 1, 2008 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 109)

Senator Klausmeier moved to suspend the rules to allow **Senate Bills 780 through 794** to be referred immediately to the appropriate committee.

The motion was adopted.

INTRODUCTION OF BILLS

Senate Bill 780 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$120,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency-related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms,

conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 781 – Senator Madaleno

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County –
Circle Manor**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to alter the authorized uses of a certain grant and to extend the date by which the County Executive and County Council of Montgomery County must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01(BB)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 782 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Statement of Need

FOR the purpose of requiring a statement of need for developing, operating, establishing, relocating, or expanding a residential child care program; providing certain exceptions; requiring the Department of Human Resources and the Department of Juvenile Services to issue a statement of need to a program; requiring the Departments to adopt certain regulations; requiring the

Departments to provide notification of certain applications in a certain manner; defining certain terms; and generally relating to statements of need for residential child care programs.

BY adding to

Article – Human Services
Section 8–703.1
Annotated Code of Maryland
(2007 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 783 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Certification of Direct Care Workers

FOR the purpose of renaming the State Board for Certification of Residential Child Care Program Administrators to be the State Board for Certification of Residential Child Care Program Administrators and Direct Care Workers; altering the membership of the Board; requiring an individual to be certified before the individual may operate as a direct care worker in a residential child care program; specifying the qualifications of certain certificates; specifying procedures for certain applications; establishing a certain date by which all residential child care programs shall have certified direct care workers; altering certain definitions; defining certain terms; correcting certain obsolete references; and generally relating to the certification of individuals to operate residential child care programs.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 20–101, 20–201, 20–202, 20–205, 20–301, 20–302, 20–305, 20–306, 20–309, 20–310, 20–311, 20–312, 20–313, 20–401, 20–402, 20–403, and 20–501 to be under the amended title “Title 20. Residential Child Care Program Administrators and Direct Care Workers”
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations
Section 20–303, 20–304, 20–307, 20–308, and 20–502
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 8–701(c)
Annotated Code of Maryland
(2007 Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(61)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 784 – Senators King, Currie, DeGrange, Garagiola, Kasemeyer, and Middleton

AN ACT concerning

Horse Racing – Purse Dedication Account – Allocation of Funds

FOR the purpose of altering certain allocations of the Purse Dedication Account under the authority of the State Racing Commission that is to be established with certain video lottery proceeds; requiring that funds in the Account be allocated in a certain way to thoroughbred purses at certain race tracks, the Maryland–bred Race Fund, standardbred purses at certain race tracks, and the Standardbred Race Fund; making this Act contingent on the taking effect of another Act; and generally relating to the Purse Dedication Account under the authority of the State Racing Commission.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–27(a)(4) and 9–1A–28(a), (b)(1), and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 4 of the Acts of the General Assembly of the 2007 Special Session)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(d) and (e)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 4 of the Acts of the General Assembly of the 2007 Special Session)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 785 – Senators Lenett, Jones, Madaleno, McFadden, and Muse

AN ACT concerning

Health – Prohibition Against Smoking in Vehicle Containing Minor Passenger

FOR the purpose of prohibiting a person from smoking a tobacco product in a vehicle in which a person who is under a certain age is a passenger, subject to certain penalties; making a technical change; and generally relating to prohibitions against tobacco smoking.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–504
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 24–508(a), (b), and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Finance.

Senate Bill 786 – Senators Haines and Middleton

AN ACT concerning

Environment – Privately Licensed Sanitarians – Soil Percolation Tests

FOR the purpose of providing that a county or local health department may not prohibit a person from directly hiring or scheduling a privately licensed sanitarian to conduct a soil percolation test; requiring a county or local health department to accept a certain soil percolation test under certain circumstances; and generally relating to privately licensed sanitarians and soil percolation tests.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1104
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 787 – Senator Muse

AN ACT concerning

Education – High School Assessment Requirement

FOR the purpose of prohibiting the State Board of Education from including the passing of certain types of examinations or assessments in public high school graduation requirements; and generally relating to public high school graduation requirements.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–205
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 788 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – South County Sports and Technology Learning Complex

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 789 – Senator Forehand

AN ACT concerning

Vehicle Laws – Child Safety Seats – Age and Weight Requirements

FOR the purpose of expanding a certain requirement relating to the use of child safety seats to include certain trucks; providing that certain provisions establishing a certain age requirement for the use of child safety seats apply to certain vehicles registered in another state or Puerto Rico; altering certain requirements for the use of child safety seats to require a person transporting a child under a certain age to secure the child in a child safety seat and eliminating a certain weight requirement; repealing a certain requirement for the use of child safety seats that applied to a person transporting a child in a motor vehicle registered in another state or country; adding height to the list of reasons that a physician may use to certify that the use of a child safety seat by a particular child is impractical; making certain clarifying changes; and generally relating to child safety seats.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22-412.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 790 – Senator Forehand

AN ACT concerning

Vehicle Laws – Titling and Electronic Transmission of Certificates of Title – Off-Highway Recreational Vehicles

FOR the purpose of defining “off-highway recreational vehicle”; requiring an application for a certificate of title for an off-highway recreational vehicle to be made by a certain electronic transmission; altering certain requirements relating to the electronic transmission of vehicle data to authorize transmission by a service provider instead of a licensed dealer; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; providing that, for purposes of determining a certain excise tax, the fair market value of a new or used off-highway recreational vehicle is the greater of the total purchase price or a certain amount; providing for the construction of this Act; and generally relating to certificates of title and off-highway recreational vehicles.

BY adding to
Article – Transportation
Section 11-140.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–101.1, 13–104(a), 13–108.1, and 23–106
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–808
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–809
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)
(As enacted by Chapter 6 of the Acts of the General Assembly of the 2007
Special Session)

Read the first time and referred to the Committee on Judicial Proceedings.

Senate Bill 791 – Senator Forehand

AN ACT concerning

Municipal Corporations – Building Excise Tax

FOR the purpose of authorizing municipal corporations to impose, by ordinance or resolution, a building excise tax on all types of building construction within a municipal corporation; requiring the governing body of a municipal corporation to hold a public hearing before adopting a certain ordinance or resolution; prohibiting a municipal corporation from imposing a building excise tax if the municipal corporation imposes a certain impact fee; requiring a municipal corporation to specify in the ordinance or resolution the types of building construction subject to tax, the criteria and formulas used to calculate and assess the tax, and the tax rates; authorizing a municipal corporation to impose different rates of the building excise tax on different types of building construction subject to the tax; requiring that the building excise tax be assessed on an applicant for a building permit at the time of the issuance of the building permit; requiring that the tax rates relate to the development or growth-related infrastructure needs in the municipal corporation; authorizing a municipal corporation to provide for tax credits against and exemptions from the building excise tax; requiring that the revenues from the building excise tax be deposited in a special fund; providing that the revenues from the building excise tax may only be used for certain capital costs of certain public works, improvements, and facilities; and generally relating to authorizing municipal corporations to impose a building excise tax.

BY adding to

Article 23A – Corporations – Municipal
Section 8A
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 792 – Senator Lenett

AN ACT concerning

**Residential Real Property – Maryland Building Performance
Standards – Minimum Standards for Visitability**

FOR the purpose of altering a certain prohibition on the Department of Housing and Community Development from adopting, as part of the Maryland Building Performance Standards, certain modifications to certain building code requirements; requiring the Department to adopt as a modification of the Maryland Building Performance Standards certain minimum standards for visitability in the design and construction of a single-family dwelling under certain circumstances; requiring the minimum standards for visitability to include certain requirements; defining a certain term; and generally relating to minimum standards for visitability in residential real property.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 12-503
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY adding to

Article – Public Safety
Section 12-503.1
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

Senate Bill 793 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Special Taxing Districts – Creation

FOR the purpose of authorizing Harford County to exercise certain powers concerning the creation of special taxing districts, the levying of certain taxes, and the issuing of certain bonds for developing and financing certain infrastructure improvements under certain circumstances; authorizing Harford County to create a special taxing district only in certain areas; requiring that a local law creating a special taxing district be enacted in a certain manner; authorizing the governing body of Harford County to consider certain elements of a development that would receive the proceeds of a certain bond at a certain public hearing; requiring certain disclosure to buyers of real property within a special taxing district of certain charges for which the buyer would be liable; providing that failure to provide certain disclosure makes a contract for the purchase of real property within a special taxing district voidable under certain circumstances; requiring that adequate debt service reserve funds be maintained by Harford County; providing that Harford County may establish a special taxing district only if all the owners of real property within the proposed special taxing district petition the county for the creation of the special taxing district; and generally relating to the authority of Harford County to create special taxing districts for developing and financing infrastructure improvements.

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(b) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 794 – Harford County Senators

AN ACT concerning

Creation of a State Debt – Harford County and Cecil County – Maryland Fire and Rescue Institute Renovation

FOR the purpose of authorizing the creation of a State Debt in the amount of \$650,000, the proceeds to be used as a grant to the University of Maryland Fire and Rescue Institute for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
April Todd	The President and All Members	143
Deborah M. Pappas	The President and All Members	144
Alicia Appel	The President and All Members	145
Leah Waller	The President and All Members	146
Robin August	The President and All Members	147
Lindsey McCormick	The President and All Members	148
Radhika Plakkot	The President and All Members	149
Antonina Wallace	The President and All Members	150
Sallie Christian	The President and All Members	151
Julia Z. Habash	The President and All Members	152
Karla Eberspacher	The President and All Members	153
Matthew Johnston	The President and All Members	154
Doug Oxford	The President and All Members	155
Christine Roland	The President and All Members	156
Patricia Phillips	The President and All Members	157
Nancy Harrington	The President and All Members	158
Raul Ortiz	The President and All Members	159
Leah Rempert	The President and All Members	160
Judith Adkins	The President and All Members	161

Danny Reed	The President and All Members	162
Patricia Windle Weise	The President and All Members	163
Gwen M. Pangborn	The President and All Members	164
Susan Miller Ward	The President and All Members	165
Tamara Krauch Mills	The President and All Members	166

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 110)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 39 – Senator Dyson

AN ACT concerning

Joint Committee on Base Realignment and Closure – Additional Members

SB0039/904739/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 39
(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Dyson” and substitute “Senators Dyson, Conway, Rosapepe, Colburn, Greenip, Lenett, and Peters”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 104 – Senator Stoltzfus

AN ACT concerning

Working Waterfront Commission – Reporting and Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 180 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Lottery)

AN ACT concerning

State Lottery – Purchasing, Selling, or Cashing Lottery Tickets or Prizes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 20 – Senator Simonaire

AN ACT concerning

Vehicle Laws – School Buses and Former School Buses – Seat Belts

SB0020/848076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 20
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “children;” insert “making a stylistic change;”.

AMENDMENT NO. 2

On page 3, in line 8, strike “retarded”; and in the same line, after the first “children” insert “with developmental disabilities”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant

SB0059/568670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 59
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike beginning with “issue” through “probation,”.

AMENDMENT NO. 2

On page 2, in line 2, strike “**1 YEAR**” and substitute “**90 DAYS**”; and strike beginning with “A” in line 5 down through “**OR**” in line 6.

The preceding 2 amendments were read only.

Senator Zirkin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 103 – Senator Frosh

AN ACT concerning

Maryland Uniform Interstate Depositions and Discovery Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 111)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #6

Senate Bill 178 – Chair, Finance Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Public Safety – Emergency Number Systems Board – Membership

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 112)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 113)

ADJOURNMENT

At 10:36 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 6, 2008.

Annapolis, Maryland
Wednesday, February 6, 2008
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Reverend L. Katherine Moore, Emory United Methodist Church, guest of Senator Klausmeier.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 5, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Conway and Jacobs be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 116)

INTRODUCTION OF BILLS

Senate Bill 795 – Senator DeGrange

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

FOR the purpose of amending certain prior Acts of the General Assembly that authorized the creation of State Debt through the issuance, sale, and delivery of general obligation bonds, the proceeds of which were designated for funding certain capital projects; requiring certain loan proceeds to be encumbered by the Board of Public Works or expended for certain purposes by a certain date; altering the names of certain grantees; altering and expanding the authorized uses of certain grants; removing a requirement that a certain grantee provide and expend a certain matching fund; requiring that a certain grantee provide and expend a certain type of matching fund; altering the location of certain capital projects; extending the deadline by which a certain grantee must present evidence to the Board of Public Works that certain matching funds will be

provided; making other technical changes; and generally relating to prior authorizations of State Debt by the General Assembly to fund certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 555 of the Acts of the General Assembly of 1999, as amended by Chapter 30 of the Acts of the General Assembly of 2001, Chapter 188 of the Acts of the General Assembly of 2002, and Chapter 550 of the Acts of the General Assembly of 2006

Section 1

BY repealing and reenacting, with amendments,

Chapter 466 of the Acts of the General Assembly of 2001

Section 1

BY repealing and reenacting, with amendments,

Chapter 680 of the Acts of the General Assembly of 2001, as amended by Chapter 32 of the Acts of the General Assembly of 2003, and Chapter 30 of the Acts of the General Assembly of 2004

Section 1

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004

Section 13(3)(i) Item (BJ)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004 and Chapter 555 of the Acts of the General Assembly of 2006

Section 13(3)(i) Item (BI)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005

Section 1(3) Item ZA01(U) and ZA02(Y) and (BK)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA00(C), ZA01(K), (R), (AC), (AZ), (BW), and (CK), and ZA02(W) and (AC)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item KA05(A)(4), ZA00(B), ZA01(AV) and (Z), and ZA02(BI), (BL), (BO), and (CC)

Read the first time and referred to the Committee on Budget and Taxation.

Senate Bill 796 – Senators Astle and Pipkin

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle Accident Reports – Access

FOR the purpose of authorizing a member of the Maryland General Assembly to access a motor vehicle accident report under certain circumstances; providing that a designated employee of a law enforcement agency may be presented with certain documentation under certain circumstances; exempting certain entities that may access motor vehicle accident reports from a requirement that they present certain documentation to an officer or designated employee of a law enforcement agency; making a certain violation related to disclosing a motor vehicle accident report a misdemeanor; making stylistic changes; making this Act an emergency measure; and generally relating to motor vehicle accident reports.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 20–110
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 797 – Senators Astle and Kittleman

AN ACT concerning

**Labor and Employment – Wage Payment on Termination of Employment –
Accrued Leave**

FOR the purpose of requiring an employer with a certain written policy to pay accrued leave to an employee on termination of employment only under certain circumstances; and generally relating to the payment of wages upon termination of employment.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–505
Annotated Code of Maryland
(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 798 – Senator Dyson

AN ACT concerning

St. Mary’s County – Mobile Home Parks – Plans for Dislocated Residents

FOR the purpose of providing that, in St. Mary’s County, if a mobile home park owner does not submit a certain plan for alternative arrangements for park residents with an application for a change in the land use of a park or does not comply with an approved plan, the application for the land use change may not be approved until certain conditions are met; requiring a certain plan for alternative arrangements for park residents submitted in St. Mary’s County to include certain information; and generally relating to mobile home parks in St. Mary’s County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–1201
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 799 – Senators Exum, Garagiola, and Gladden

AN ACT concerning

Family Investment Program Recipients – Child-Specific Benefit – Repeal

FOR the purpose of repealing certain provisions prohibiting the payment of certain temporary cash assistance benefits as a result of the birth of certain children under certain circumstances; and generally relating to the receipt of temporary cash assistance benefits by Family Investment Program (FIP) recipients.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–313
Annotated Code of Maryland
(2007 Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 800 – Senator Pipkin

AN ACT concerning

**Creation of a State Debt – Cecil County – Mount Harmon Plantation
Education and Discovery Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Mount Harmon, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 801 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Kent County – Prince Theatre

FOR the purpose of authorizing the creation of a State Debt in the amount of \$450,000, the proceeds to be used as a grant to the Board of Directors of the Prince Theatre Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 802 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Hospice Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Hospice of Queen Anne’s, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

**Law Enforcement Officers’ Pension System – Membership – Retired Pilots
with the Maryland State Police**

FOR the purpose of providing certain retirees who are reemployed by the Maryland State Police Aviation Command as helicopter pilots with membership in the Law Enforcement Officers’ Pension System; making membership in the Law Enforcement Officers’ Pension System a condition of employment for certain retirees of the State Police Retirement System; providing a certain exception for certain retirees of the State Police Retirement System who are reemployed as Maryland State Police Aviation Command helicopter pilots; allowing certain members of the Law Enforcement Officers’ Pension System to purchase service credit for certain periods of employment at a certain rate; requiring that certain members of the Law Enforcement Officers’ Pension System who purchase service credit to complete and file certain forms; and generally relating to pension benefits for certain retired pilots who are reemployed by the Maryland State Police Aviation Command.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–406 and 26–201(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–307.2
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 804 – Harford County Senators

AN ACT concerning

Harford County – War Veterans’ Organizations – Slot Machines

FOR the purpose of authorizing war veterans’ organizations in Harford County to own and operate a certain number of slot machines for certain purposes and under certain circumstances; requiring a certain war veterans’ organization to engage an independent certified public accounting firm to conduct a certain audit;

requiring the firm by a certain date to provide a copy of the audit to the county sheriff; and generally relating to slot machines in Harford County.

BY repealing and reenacting, with amendments,
 Article – Criminal Law
 Section 12-304
 Annotated Code of Maryland
 (2002 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 805 – Senator Rosapepe

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory Anderson
 Murphy Community Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

PETITIONS, MEMORIALS AND OTHER PAPERS

BALTIMORE CITY BOND BILL RESOLUTIONS

(See Exhibit C of Appendix III)

Referred to the Committee on Budget and Taxation.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
Dr. Nathan Fletcher	The President and All Members	224

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 117)

Recipient	Sponsor	Resolution No.
Maryland Library Community	The President and All Members	195

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 119)

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0059/568670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 59 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike beginning with “issue” through “probation,”.

AMENDMENT NO. 2

On page 2, in line 2, strike “1 YEAR” and substitute “90 DAYS”; and strike beginning with “A” in line 5 down through “OR” in line 6.

The preceding 2 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for February 7, 2008.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #2**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 50 – Senator Brochin

AN ACT concerning

Education – Special Education Services – Children in a Home School Setting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 77 – Senators Kelley, Colburn, Conway, Della, Exum, Madaleno,
McFadden, Pinsky, Pugh, Raskin, Rosapepe, and Stone**

AN ACT concerning

Education – Children in Informal Kinship Care Relationships

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 147 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Archives, Maryland State)**

AN ACT concerning

State Archives – Records and Other Services – Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 190 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Ethics, State Commission on)

AN ACT concerning

Ethics - Financial Disclosure - Electronic Filing

Senator Della moved, duly seconded, to make the Bill and Report a Special Order for February 7, 2008.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 191 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Ethics, State Commission on)

AN ACT concerning

State Ethics Commission - Electronic Filing Under Oath or Affirmation - Electronic Signature

SB0191/364835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 191

(First Reading File Bill)

On page 2, in line 4, strike "A signed statement" and substitute "AN ELECTRONIC SIGNATURE".

The preceding amendment was read only.

Senator Della moved, duly seconded, to make the Bill and Amendments a Special Order for February 7, 2008.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 120)

ADJOURNMENT

At 10:52 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 7, 2008.

**Annapolis, Maryland
Thursday, February 7, 2008
10:00 A.M. Session**

The Senate met at 10:16 A.M.

Prayer by Pastor Byron Brought, Calvary United Methodist Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 6, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Haines, Kittleman, and Stoltzfus be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 122)

INTRODUCTION OF BILLS

Senate Bill 806 – Senator Simonaire

AN ACT concerning

Critical Infrastructure Protection Task Force

FOR the purpose of establishing a Critical Infrastructure Protection Task Force; providing for the composition and duties of the Task Force; requiring the Department of Legislative Services and the Department of Economic Development to provide staffing for the Task Force; prohibiting members of the Task Force from receiving compensation, but authorizing certain reimbursement for certain expenses; requiring the Task Force to submit certain reports of its findings and recommendations to the Governor and the General Assembly on or before certain dates; requiring the Task Force to make a certain recommendation to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Critical Infrastructure Protection Task Force.

Read the first time and referred to the Committee on Rules.

Senate Bill 807 – Senator Currie

AN ACT concerning

**Prince George’s County – Kettering Largo Boys & Girls Club Storage Facility
Loan of 2001**

FOR the purpose of amending the Prince George’s County – Kettering Largo Boys & Girls Club Storage Facility Loan of 2001 to extend the deadline by which the Board of Directors of Kettering Largo Boys & Girls Club may present evidence to the Board of Public Works that a matching fund will be provided; and requiring that the loan proceeds be encumbered by the Board or expended for certain purposes by a certain date.

BY repealing and reenacting, with amendments,

Chapter 326 of the Acts of the General Assembly of 2001, as amended by
Chapter 30 of the Acts of the General Assembly of 2003 and Chapter 188
of the Acts of the General Assembly of 2005
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 808 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – District Heights
Commercial Area Facade and Infrastructure Improvement Program**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Mayor and City Commissioners of the City of District Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 809 – Senators Currie and Exum

AN ACT concerning

Creation of a State Debt – Prince George’s County – Suitland Technology Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Suitland Family and Life Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 810 – Senator Pipkin

AN ACT concerning

Transportation – Maryland Emergency Medical System Operations Fund – Transport by Privately Owned Helicopter

FOR the purpose of requiring that an operator of a privately owned helicopter be reimbursed from the Maryland Emergency Medical System Operations Fund for costs incurred in transporting individuals for emergency medical treatment; adding reimbursement of operators of privately owned helicopters for costs of emergency medical transport as an authorized use of money in the Fund; and generally relating to the Maryland Emergency Medical System Operations Fund.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–955
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 811 – Senator Pipkin

AN ACT concerning

Health Insurance – Health Care Provider Panels – Provider Contracts

FOR the purpose of repealing a prohibition that certain health insurance carriers that offer coverage for health care services in a certain manner may not require certain health care providers to serve on certain provider panels under certain circumstances; repealing a certain exception to the prohibition; repealing

certain requirements for providers that elect to terminate participation on certain provider panels; prohibiting certain provider contracts from containing a provision that requires certain health care providers to participate in certain provider panels under certain circumstances; authorizing certain provider contracts to contain a requirement that certain providers participate in a certain managed care organization under certain circumstances; requiring certain provider contracts to disclose certain information; prohibiting certain provider contracts from containing a provision requiring providers to accept certain schedules of fees under certain circumstances; prohibiting a provider contract from requiring providers to treat certain enrollees of certain carriers under certain circumstances; defining certain terms; making stylistic changes; and generally relating to health care provider panels and provider contracts under health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (3), (5), (7), and (8)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing
Article – Insurance
Section 15–112(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(m), (n), (o), and (p)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 812 – Senator Currie

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County
– New Revival Center of Renewal**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the grantee from the County Executive and County Council of Prince George's County to the Board of Directors of New Revival Center of Renewal, Inc. and extending the deadline by which the grantee may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (CA) and ZA02 (BU)

Read the first time and referred to the Committee on Rules.

Senate Bill 813 – Senator Pipkin

AN ACT concerning

Education – Scholarship Program for Children with a Disability

FOR the purpose of establishing a Scholarship Program for Children with a Disability; authorizing a parent or legal guardian of a child with a disability to enroll the child in an eligible private institution and use scholarship funds to offset certain costs relating to the attendance of the child with a disability at the eligible private institution; establishing eligibility to participate in the Program; providing for the administration of funds for the Program; establishing the amount of a scholarship; prohibiting an eligible private institution from refunding, rebating, or sharing scholarship moneys with a certain child with a disability or a certain parent or legal guardian; authorizing a certain eligible private institution to accept or deny admission to a certain qualifying student under certain circumstances; requiring the eligible private institution to notify certain county boards and the State Superintendent under certain circumstances; requiring certain county boards to provide certain records to the eligible private institution under certain circumstances; providing for the construction of this Act; requiring the Department to adopt regulations; defining certain terms; and generally relating to the establishment of a Scholarship Program for Children with Disabilities.

BY adding to
Article – Education
Section 8–418
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 814 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s Agricultural Service Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Supervisors of the St. Mary’s Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 815 – Senators Exum and Kelley

AN ACT concerning

Health Care Facilities – Individuals with Mental Disorders – Patient Rights

FOR the purpose of establishing certain rights for individuals in certain facilities; establishing that certain individuals, guardians, and persons may file certain complaints in a certain court; requiring that certain complainants who are granted injunctive relief be awarded certain costs and attorney’s fees; defining certain terms; and generally relating to patient rights in certain facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–701
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 816 – Senator Stoltzfus

AN ACT concerning

Worcester County – Property Tax Credit – Historically Operated Amusement Park

FOR the purpose of authorizing the governing body of Worcester County or a municipal corporation in Worcester County to grant, by law, a property tax credit for certain real property used as an amusement park; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and for certain provisions necessary to carry out the credit; defining

a certain term; providing for the application of this Act; and generally relating to authorization for a local property tax credit for certain property in Worcester County that is used as a historically operated amusement park.

BY adding to

Article – Tax – Property
Section 9–325(c)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 817 – Senators Conway, Colburn, Della, Garagiola, Lenett, and Pugh

AN ACT concerning

Maryland Individual Tax Preparers Act

FOR the purpose of creating the State Board of Individual Tax Preparers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; authorizing the Board to investigate certain complaints in a certain manner; authorizing the Board to seek a certain injunction under certain circumstances; authorizing the Board or its designee to administer oaths, hold hearings, take testimony, and issue subpoenas under certain circumstances; authorizing the Board to set certain fees for certain purposes; requiring certain individual tax preparers to pay certain fees; requiring the Board to pay certain fees to the State Comptroller; requiring the Comptroller to distribute certain fees to a certain fund; establishing a certain fund; providing for the purpose of the Fund; requiring the Board to administer the Fund; providing that the Fund is a special fund, requiring the State Treasurer to hold the Fund separately, and requiring the Comptroller to account for the Fund; providing for the contents of the Fund; providing for certain uses of the Fund; requiring the Treasurer to invest the money of the Fund in a certain manner and requiring certain investment earnings to be credited to the General Fund of the State; providing that certain expenditures must be made in accordance with the State budget; establishing certain powers and duties of the Board; requiring certain individuals to be registered by the Board as individual tax preparers before performing certain work; establishing certain education and experience requirements for individual tax preparers; establishing certain registration and registration renewal requirements for individual tax preparers; establishing certain examination requirements for individual tax preparers; authorizing the Board to deny a registration to an applicant, refuse to renew a registration, reprimand a registered individual, suspend or revoke a registration, or impose certain penalties under certain circumstances; establishing certain prohibited acts; providing for certain criminal penalties; requiring certain fees and

penalties collected by the Board to be used in a certain manner; requiring an individual tax preparer to make certain disclosures prior to rendering certain services; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; providing for the staggering of certain terms; requiring the Board to grant a waiver of certain requirements under this Act to certain individuals under certain circumstances; requiring the Governor to include a certain appropriation in the State budget under certain circumstances; defining certain terms; and generally relating to the State Board of Individual Tax Preparers.

BY renumbering

Article – Business Regulation
Section 2–108(a)(23) through (33), respectively
to be Section 2–108(a)(24) through (34), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(32) through (69), respectively
to be Section 8–403(b)(33) through (70), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 21–101 through 21–502 to be under the new title “Title 21. Individual
Tax Preparers”
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Business Regulation
Section 2–108(a)(23)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Government
Section 8–403(b)(32)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 818 – Senators Middleton, Astle, Colburn, Conway, Currie,
DeGrange, Della, Dyson, Edwards, Forehand, Garagiola, Glassman,**

Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Simonaire

AN ACT concerning

Public Health Dental Hygiene Act

FOR the purpose of altering the authorization of a general license to practice dental hygiene to include the application of certain sealants or fluoride agents under certain supervision in certain facilities; providing that a certain waiver is not required to practice dental hygiene under certain supervision in accordance with certain provisions of law; increasing the types of facilities a general license to practice dental hygiene authorizes a dental hygienist to practice in under certain supervision; altering the requirements for certain facilities in which certain dental hygienists are authorized to practice under certain supervision; defining a certain term; and generally relating to the practice of dental hygiene.

BY repealing and reenacting, without amendments,
 Article – Health Occupations
 Section 4–101(k) and (l)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 4–308(e) and (h)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
The Maryland Council of Deltas	Senator Catherine E. Pugh	243

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 123)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT**Senate Bill 658 – Senator King**

AN ACT concerning

Horse Racing Heritage Act

Reassigned to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT**Senate Bill 703 – Senator Zirkin**

AN ACT concerning

Commission on Land Use at the Rosewood Center

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee
Report #2
February 7, 2008

District Court, Anne Arundel County (District 7)

1. Megan Beth Johnson

Judge of the District Court of Maryland, District 7, Anne Arundel County; reappointed to serve a term of ten years from November 26, 2007

District Court, Howard County (District 10)

2. Alice Gail Pollard Clark

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from May 22, 2007

District Court, Prince George's County (District 5)

3. Thomas J. Love

Judge of the District Court of Maryland, District 5, Prince George's Co; reappointed to serve a term of ten years from May 5, 2007

Financial Regulation, Commissioner of

4. Sarah B. Raskin, Esquire
7209 Holly Avenue
Takoma Park, MD 20912

Commissioner of Financial Regulation; appointed to serve at the pleasure of the Secretary of Labor, Licensing, and Regulation

Insurance Administration, Maryland

5. Ralph S. Tyler, Esquire
205 Gittings Avenue
Baltimore, MD 21212

Commissioner of Insurance Administration; appointed to serve remainder of a term of four years from June 1, 2007

Atlantic States Marine Fisheries Commission

6. William J. Goldsborough
1355 Moyer Road
Annapolis, MD 21403

Member of the Atlantic States Marine Fisheries Commission; appointed to serve remainder of a term of three years from June 1, 2007

Automobile Insurance Fund, Board of Trustees of the Maryland

7. Derrick L. Davis
11505 Waesche Drive
Mitchellville, MD 20721

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

Correctional Standards, Commission on

8. Howard Ray, Jr.
308 Lord Byron Lane #T3
Cockeysville, MD 21030

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from June 30, 2005

Deaf and Hard of Hearing, Maryland Advisory Council for the

9. Thomas F. Brett
12204 Holm Oak Drive
Waldorf, MD 20601

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2006

Economic Development Commission, Maryland

10. Timothy A. Hodge, Jr., Esquire
6423 Pratt Avenue
Baltimore, MD 21212

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2007

11. Aris Mardrossian
11940 River Road
Potomac, MD 20854

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2007

Engineers, State Board of Stationary

12. Loretta Johnson
3207 Greenmead Road
Baltimore, MD 21244

Member of the State Board of Stationary Engineers; appointed to serve a term to expire June 30, 2008

13. Harold E. Norris
21 Stuart Mills Place
Baltimore, MD 21228

Member of the State Board of Stationary Engineers; appointed to serve a term to expire June 30, 2008

Fire-Rescue Education and Training Commission

14. John S. Butler
8830 Papillon Drive
Ellicott City, MD 21043

Member of the Fire-Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2007

15. R. Michael Clemens
8104 Pete Wiles Road
Middletown, MD 21769

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2006

16. Gregory J. DeHaven
24313 Log House Road
Gaithersburg, MD 20882

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2005

17. Daniel J. Stevens
6461 Hawkins Gate Road
LaPlata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2005

Food Center Authority, Maryland

18. John C. Guerriero
233 South Exeter Street
Baltimore, MD 21202

Member of the Maryland Food Center Authority; appointed to serve remainder of a term of five years from July 1, 2004

19. Michael T. Isen
9201 Marseille Drive
Potomac, MD 20854

Member of the Maryland Food Center Authority; appointed to serve remainder of a term of five years from July 1, 2006

Handgun Permit Review Board

20. Charles M. Thomas, Jr.
4505 Kenilworth Avenue
Baltimore, MD 21212

Member of the Handgun Permit Review Board; appointed to serve remainder of a term of three years from March 27, 2007

Interagency Coordinating Council for Infants and Toddlers

21. Amy Blackburn
2227 Hunters Chase
Bel Air, MD 21015

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2007

22. Paula D. Boykin
218 Beech View Court
Towson, MD 21286

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

23. Alisa K. Chernack
8570 Eastern Morning Run
Laurel, MD 20723

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

24. Donna J. Njoku
12624 Trotwood Court
Beltsville, MD 20705

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

25. Michele Ogden
1901 West Street, #316
Annapolis, MD 21401

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

26. Linda R. Ramsey
207 E. Northern Parkway
Baltimore, MD 21212

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

27. Jill A. Taylor
28 Murdoug Road
Baltimore, MD 21212

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

Judicial Disabilities, Commission on

28. Paul D. Shelton, Esquire
3005 Boone's Lane
Ellicott City, MD 21042

Member of the Commission on Judicial Disabilities; reappointed to serve a term to expire February 11, 2009

Master Electricians, State Board of

29. Michael W. Berg
10224 Davis Avenue
Woodstock, MD 21163

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2007

30. William O. Jones
3800 Viser Court
Bowie, MD 20715

Member of the State Board of Master Electricians; appointed to serve remainder of a three term to expire June 30, 2008

31. Frank M. Mancini
24296 East Cherry Lane
Goldsboro, MD 21636

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2006

32. Michael T. Oles
3839 Dakota Road
Hampstead, MD 21074

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2007

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Fire-Rescue Education and Training Commission

S-1. John C. Holloway
107 Davis Court
Berlin, MD 21811

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2007

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

S-2. Steven D. Heidler
900 Ridgewood Road
Annapolis, MD 21401

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve remainder of a term of three years from January 1, 2007

S-3. James A. Johnson
7861 Stevens Road
Eden, MD 21822

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term of three years from January 1, 2005

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 8, 2008

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0059/568670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 59

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike beginning with "issue" through "probation,".

AMENDMENT NO. 2

On page 2, in line 2, strike "1 YEAR" and substitute "90 DAYS"; and strike beginning with "A" in line 5 down through "OR" in line 6.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 190 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Ethics, State Commission on)**

AN ACT concerning

Ethics – Financial Disclosure – Electronic Filing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Dyson moved, duly seconded, to make the Bill a Special Order for February 11, 2008.

The motion was adopted.

**Senate Bill 191 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Ethics, State Commission on)**

AN ACT concerning

**State Ethics Commission – Electronic Filing Under Oath or Affirmation –
Electronic Signature**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0191/364835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 191
(First Reading File Bill)

On page 2, in line 4, strike “A signed statement” and substitute “AN ELECTRONIC SIGNATURE”.

The preceding amendment was read only.

Senator Dyson moved, duly seconded, to make the Bill and Amendments a Special Order for February 11, 2008.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 124)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #7

Senate Bill 20 – Senator Simonaire

AN ACT concerning

Vehicle Laws – School Buses and Former School Buses – Seat Belts

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 125)

The Bill was then sent to the House of Delegates.

Senate Bill 39 – ~~Senator Dyson~~ Senators Dyson, Conway, Rosapepe, Colburn, Greenip, Lenett, and Peters

AN ACT concerning

Joint Committee on Base Realignment and Closure – Additional Members

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 126)

The Bill was then sent to the House of Delegates.

Senate Bill 103 – Senator Frosh

AN ACT concerning

Maryland Uniform Interstate Depositions and Discovery Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 127)

The Bill was then sent to the House of Delegates.

Senate Bill 104 – Senator Stoltzfus

AN ACT concerning

Working Waterfront Commission – Reporting and Sunset Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 128)

The Bill was then sent to the House of Delegates.

Senate Bill 180 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Lottery)

AN ACT concerning

State Lottery - Purchasing, Selling, or Cashing Lottery Tickets or Prizes

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 129)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 130)

ADJOURNMENT

At 10:42 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 8, 2008.

**Annapolis, Maryland
Friday, February 8, 2008
11:00 A.M. Session**

The Senate met at 11:13 A.M.

Prayer by Reverend Karen Bunnell, Elkton United Methodist Church, guest of Senator Pipkin.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 7, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Kittleman be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 133)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
The Maryland-National Capital Park and Planning Commission	The President and All Members	187

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 134)

Recipient	Sponsor	Resolution No.
Eugene R. Lynch, III	The President and All Members	250

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 135)

INTRODUCTION OF BILLS

Senate Bill 819 – Senators Mooney, Brinkley, Colburn, Greenip, Harris, Jacobs, Muse, Raskin, and Stone

AN ACT concerning

Maryland Funding Accountability and Transparency Act of 2008

FOR the purpose of requiring the Department of Budget and Management to develop and operate a specified website that includes specified information for certain State financial assistance and expenditures; specifying certain parameters of the website; authorizing the Secretary of Budget and Management to designate certain agencies to participate in the development, operation, or support of the website; authorizing the Secretary to determine the best and most appropriate data sources for the website; defining certain terms; providing that certain provisions of law may not be construed to require the disclosure of certain confidential information; and generally relating to a searchable website to be developed and operated by the Department of Budget and Management to provide information to the public on State financial assistance and expenditures.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3–101
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–207
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 820 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Mansfield Kaseman Health Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Community Ministries of Rockville, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 821 – Senators McFadden, Astle, Dyson, Exum, Gladden, Muse, Pugh, and Rosapepe

AN ACT concerning

Maryland Youth Entrepreneur Connection Program

FOR the purpose of establishing the Maryland Youth Entrepreneur Connection Program in the Division of Workforce Development of the Department of Labor, Licensing, and Regulation; requiring the Program to offer certain employment and training opportunities to certain disadvantaged youth; requiring funds for the Program to be used for certain services; requiring the Director of Workforce Development in the Department to adopt regulations to implement the Program; authorizing the Director to make grants to local workforce investment areas; establishing certain services to be provided by the Program; establishing certain eligibility requirements for participation; requiring the Governor to include in the annual budget bill for certain fiscal years a certain amount for the Program; defining certain terms; and generally relating to establishing the Maryland Youth Entrepreneur Connection Program.

BY adding to

Article – Labor and Employment

Section 11-603

Annotated Code of Maryland

(1999 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 822 – Carroll County Senators

AN ACT concerning

Carroll County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

FOR the purpose of prohibiting certain distributions of certain tobacco products, cigarette rolling papers, and tobacco-related coupons to minors in Carroll County; authorizing certain defenses to a violation of this Act; establishing certain civil penalties; and generally relating to the illegal distribution of tobacco and tobacco-related products to minors in Carroll County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15-102.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 823 – Carroll County Senators

AN ACT concerning

Carroll County – Green Building Tax Credit

FOR the purpose of authorizing the Board of County Commissioners of Carroll County to grant, by ordinance, a green building tax credit against certain taxes owed to the County by certain individuals and business and corporate entities that make certain environmentally friendly improvements to non-residential properties in the County; requiring the County Commissioners to establish certain eligibility criteria for the tax credit; requiring the County Commissioners to establish the amount of the tax credit; authorizing the County Commissioners to define environmentally friendly or “green” technologies; requiring the environmentally friendly or “green” technologies to include certain technologies; requiring the County Commissioners to establish a procedure for applying for the County tax credit; and generally relating to the authority of the County Commissioners to establish a green building tax credit against certain taxes owed to Carroll County.

BY adding to
The Public Local Laws of Carroll County
Section 9-104
Article 7 – Revenue and Taxes
(2004 Edition and November 2007 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

Senate Bill 824 – Senator Conway

AN ACT concerning

Education – Alcohol and Drug Testing for Pupils in Public or Private Schools

FOR the purpose of requiring public school or private or parochial school officials to implement a policy of alcohol and drug testing for high school pupils in their schools; specifying that testing for alcohol or drugs is permitted only on the basis of a reasonable suspicion of unlawful use; requiring school officials to provide notice to certain persons of an alcohol and drug testing policy; requiring school officials to maintain certain test results as confidential medical records and to grant access to the records only to certain persons; requiring school officials to refer certain pupils for certain treatment services; defining certain terms; providing for the construction of this Act; and generally relating to alcohol and drug testing of pupils in public or private schools.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(f)
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–308, 7–411, and 7–412
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 825 – Senator Conway

AN ACT concerning

**Credit Regulation – Terms Relating to Prepayment Charges and Penalties
and Class Actions**

FOR the purpose of prohibiting certain loan contracts, instruments that evidence or secure certain loans and agreements, notes, or other evidence of certain loans from including a provision that prohibits a borrower from joining a class action brought in connection with a violation of certain provisions of law relating to

prepayment charges and penalties; and generally relating to prepayment charges and penalties and class actions.

BY adding to

Article – Commercial Law
Section 12–111.1 and 12–1019.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 12–409
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 826 – Senator Conway

AN ACT concerning

HIV Testing – Informed Consent and Treatment – Pregnant Women

FOR the purpose of altering requirements for health care providers to obtain informed consent for HIV testing; establishing procedures for referral for treatment and supportive services for individuals who test positive; requiring local health officers to make certain information available to certain health care providers; requiring certain health care providers to notify pregnant women that they will be tested for HIV infection as part of certain routine tests; requiring certain health care providers to test certain patients; making a certain exception; requiring certain health care providers to make certain offers of HIV testing and provide referrals for certain treatment and services under certain circumstances; requiring certain health care providers to offer certain HIV tests and antiretroviral prophylaxis during labor and delivery under certain circumstances; and generally relating to requirements for informed consent for HIV testing, referrals for treatment, and HIV testing of pregnant women.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 18–336 and 18–338.2
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 827 – Senator Conway

AN ACT concerning

Commercial Law – Prepayment Charges – Actions

FOR the purpose of providing that an action for a violation of certain provisions of law prohibiting prepayment charges from being imposed on certain consumer borrowers may not be brought more than a certain number of years after the prepayment charges are imposed; making a stylistic change; providing for the application of this Act; and generally relating to prepayment charges.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–1019
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 828 – Senator Conway

AN ACT concerning

**Department of Health and Mental Hygiene – Birth Defects
Research – Medical Information**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to appoint epidemiologists and parents or guardians of children with birth defects to a certain committee that makes certain reports to the Department of Health and Mental Hygiene concerning certain children born with birth defects; requiring hospitals to submit certain reports to the Department within a certain number of days from a certain date; requiring certain health care providers to allow the Department to inspect and obtain certain medical information regarding certain children with birth defects; requiring a hospital to obtain the consent of certain parents or guardians if the Department shows a need for certain information in the course of an investigation that aids in the protection of the public's health; requiring the Secretary to assure that the identity of certain children is not released outside the Department; requiring the Department to keep certain medical information confidential; requiring certain medical information requested by the Department to be used for certain purposes; providing that the release of certain medical information to the Department is not a violation of a certain confidential relationship; providing that certain health care providers are immune from civil and criminal liability and certain disciplinary action; providing that certain medical information is not subject to certain discovery or use as evidence in certain proceedings; requiring the Department to comply with certain State and federal laws regarding human subject research; defining certain terms; making certain technical changes; and generally relating to the

Department of Health and Mental Hygiene and medical information regarding birth defects.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–206
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 829 – Senators Stone, Brochin, and Klausmeier

AN ACT concerning

Baltimore County – Smoking Ban – Exception for Open–Air Structures with Temporary Covering

FOR the purpose of making the prohibition against smoking in certain areas inapplicable in Baltimore County to a certain open–air structure of a bar or restaurant, even when the structure is enclosed on all sides or protected by temporary covering; and generally relating to smoking in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 24–504
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–505
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 830 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Sports Legends Museum at Camden Yards

FOR the purpose of authorizing the creation of a State Debt in the amount of \$600,000, the proceeds to be used as a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. for certain development or improvement

purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 831 – Senator Colburn

AN ACT concerning

Environment – Bay Restoration Fund – Authorized Uses of Fund

FOR the purpose of authorizing certain fee revenue collected for the Bay Restoration Fund to be used to award grants to local governments for the costs of connecting certain existing communities to sewerage systems under certain circumstances; and generally relating to the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(a), (f), (h), and (i)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(l)
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 832 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Gaudenzia at Park Heights

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Gaudenzia Foundation, Inc. for certain development or improvement purposes, providing for disbursement of the loan proceeds; subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 833 – Senator Gladden

AN ACT concerning

Baltimore City – Ivy Family Support Center Loan of 2001

FOR the purpose of amending the Baltimore City – Family Support Center Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by June 1, 2010.

BY repealing and reenacting, with amendments,
Chapter 163 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 834 – Senator Klausmeier

AN ACT concerning

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors –
Criminal Background Checks**

FOR the purpose of requiring an applicant for a heating, ventilation, air-conditioning, and refrigeration license to apply for a national and State criminal history records check in a certain manner; requiring the Criminal Justice Information System of the Department of Public Safety and Correctional Services to provide the Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors with a certain criminal history record of an applicant, an update to the criminal history records check, and a certain receipt; requiring an applicant to submit to the Central Repository a complete set of legible fingerprints taken in a certain manner; requiring an applicant to pay certain fees; specifying that certain information obtained by the Board shall be confidential and may be disseminated only to certain individuals; requiring the Board to periodically verify the continued licensure of individuals requiring criminal history records checks in accordance with certain regulations; requiring a licensee to submit proof of an update of a certain criminal history records check as a condition for the renewal of a license; requiring the Board to allow an applicant to operate in a temporary licensing status under certain circumstances; requiring the temporary licensing to expire at a certain time; requiring an applicant obtaining a temporary license to meet certain requirements; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to licensure of heating, ventilation, air-conditioning, and refrigeration contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–302(a) and 9A–309(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY adding to
Article – Business Regulation
Section 9A–302.1 and 9A–309.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 9A–310(a)(1)(v) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–221(b)(7)
Annotated Code of Maryland
(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 835 – Senators Currie, Exum, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Deamonte Driver Mobile
Dental Unit**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Robert T. Freeman Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 836 – Senator Exum

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Capitol Heights
Municipal Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Capitol Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON FINANCE REPORT #5

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 123 – Senator Astle

AN ACT concerning

**Anne Arundel County – Department of Detention Facilities Correctional
Employees – Polygraph Examinations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 179 – Chair, Finance Committee (By Request – Departmental –
Labor, Licensing and Regulation)**

AN ACT concerning

State Racing Commission – Mile Thoroughbred Racing – Payment of Taxes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 194 – Chair, Finance Committee (By Request – Departmental –
Human Resources)**

AN ACT concerning

**Department of Human Resources – New Hires Registry Quarterly
Report – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 197 – Chair, Finance Committee (By Request – Departmental –
Labor, Licensing and Regulation)**

AN ACT concerning

Harness Racing – Maryland Standardbred Race Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

**Executive Nominations Committee
Report #2
February 7, 2008**

District Court, Anne Arundel County (District 7)

1. Megan Beth Johnson

Judge of the District Court of Maryland, District 7, Anne Arundel County; reappointed to serve a term of ten years from November 26, 2007

District Court, Howard County (District 10)

2. Alice Gail Pollard Clark

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from May 22, 2007

District Court, Prince George's County (District 5)

3. Thomas J. Love

Judge of the District Court of Maryland, District 5, Prince George's County; reappointed to serve a term of ten years from May 5, 2007

Financial Regulation, Commissioner of

4. Sarah B. Raskin, Esquire
7209 Holly Avenue
Takoma Park, MD 20912

Commissioner of Financial Regulation; appointed to serve at the pleasure of the Secretary of Labor, Licensing, and Regulation

Insurance Administration, Maryland

5. Ralph S. Tyler, Esquire
205 Gittings Avenue
Baltimore, MD 21212

Commissioner of Insurance Administration; appointed to serve remainder of a term of four years from June 1, 2007

Atlantic States Marine Fisheries Commission

6. William J. Goldsborough
1355 Moyer Road
Annapolis, MD 21403

Member of the Atlantic States Marine Fisheries Commission; appointed to serve remainder of a term of three years from June 1, 2007

Automobile Insurance Fund, Board of Trustees of the Maryland

7. Derrick L. Davis
11505 Waesche Drive
Mitchellville, MD 20721

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

Correctional Standards, Commission on

8. Howard Ray, Jr.
308 Lord Byron Lane #T3
Cockeysville, MD 21030

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from June 30, 2005

Deaf and Hard of Hearing, Maryland Advisory Council for the

9. Thomas F. Brett
12204 Holm Oak Drive
Waldorf, MD 20601

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2006

Economic Development Commission, Maryland

10. Timothy A. Hodge, Jr., Esquire
6423 Pratt Avenue
Baltimore, MD 21212

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2007

11. Aris Mardirossian
11940 River Road
Potomac, MD 20854

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2007

Engineers, State Board of Stationary

12. Loretta Johnson
3207 Greenmead Road
Baltimore, MD 21244

Member of the State Board of Stationary Engineers; appointed to serve a term to expire June 30, 2008

13. Harold E. Norris
21 Stuart Mills Place
Baltimore, MD 21228

Member of the State Board of Stationary Engineers; appointed to serve a term to expire June 30, 2008

Fire-Rescue Education and Training Commission

14. John S. Butler
8830 Papillon Drive
Ellicott City, MD 21043

Member of the Fire-Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2007

15. R. Michael Clemens
8104 Pete Wiles Road
Middletown, MD 21769

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2006

16. Gregory J. DeHaven
24313 Log House Road
Gaithersburg, MD 20882

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2005

17. Daniel J. Stevens
6461 Hawkins Gate Road
LaPlata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2005

Food Center Authority, Maryland

18. John C. Guerriero
233 South Exeter Street
Baltimore, MD 21202

Member of the Maryland Food Center Authority; appointed to serve remainder of a term of five years from July 1, 2004

19. Michael T. Isen
9201 Marseille Drive
Potomac, MD 20854

Member of the Maryland Food Center Authority; appointed to serve remainder of a term of five years from July 1, 2006

Handgun Permit Review Board

20. Charles M. Thomas, Jr.
4505 Kenilworth Avenue
Baltimore, MD 21212

Member of the Handgun Permit Review Board; appointed to serve remainder of a term of three years from March 27, 2007

Interagency Coordinating Council for Infants and Toddlers

21. Amy Blackburn
2227 Hunters Chase
Bel Air, MD 21015

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2007

22. Paula D. Boykin
218 Beech View Court
Towson, MD 21286

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

23. Alisa K. Chernack
8570 Eastern Morning Run
Laurel, MD 20723

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

24. Donna J. Njoku
12624 Trotwood Court
Beltsville, MD 20705

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

25. Michele Ogden
1901 West Street, #316
Annapolis, MD 21401

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

26. Linda R. Ramsey
207 E. Northern Parkway
Baltimore, MD 21212

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2007

27. Jill A. Taylor
28 Murdoug Road
Baltimore, MD 21212

Member of the Interagency Coordinating Council for Infants and Toddlers;
appointed to serve a term of three years from July 1, 2007

Judicial Disabilities, Commission on

28. Paul D. Shelton, Esquire
3005 Boone's Lane
Ellicott City, MD 21042

Member of the Commission on Judicial Disabilities; reappointed to serve a term to expire February 11, 2009

Master Electricians, State Board of

29. Michael W. Berg
10224 Davis Avenue
Woodstock, MD 21163

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2007

30. William O. Jones
3800 Viser Court
Bowie, MD 20715

Member of the State Board of Master Electricians; appointed to serve remainder of a three year term to expire June 30, 2008

31. Frank M. Mancini
24296 East Cherry Lane
Goldsboro, MD 21636

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2006

32. Michael T. Oles
3839 Dakota Road
Hampstead, MD 21074

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2007

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Fire-Rescue Education and Training Commission

S-1. John C. Holloway
107 Davis Court
Berlin, MD 21811

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2007

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of

S-2. Steven D. Heidler
900 Ridgewood Road
Annapolis, MD 21401

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve remainder of a term of three years from January 1, 2007

S-3. James A. Johnson
7861 Stevens Road
Eden, MD 21822

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term of three years from January 1, 2005

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive (with the exception of Nominee No. 4, Sarah B. Raskin, Esquire, Commissioner of Financial Regulation) were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 136)

Nominee No. 4, Sarah B. Raskin, Esquire, Commissioner of Financial Regulation was confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 137)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 138)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #8**Senate Bill 50 – Senator Brochin**

AN ACT concerning

Education – Special Education Services – Children in a Home School Setting

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 139)

The Bill was then sent to the House of Delegates.

Senate Bill 77 – Senators Kelley, Colburn, Conway, Della, Exum, Madaleno, McFadden, Pinsky, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Education – Children in Informal Kinship Care Relationships

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 140)

The Bill was then sent to the House of Delegates.

Senate Bill 147 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Archives, Maryland State)

AN ACT concerning

State Archives – Records and Other Services – Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 4 (See Roll Call No. 141)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 142)

ADJOURNMENT

At 11:47 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 11, 2008.

Annapolis, Maryland
Monday, February 11, 2008
8:00 P.M. Session

The Senate met at 8:16 P.M.

Prayer by Reverend William Butler, Living Spring Christian Fellowship, guest of Senator Glassman.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 8, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Kittleman be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 145)

INTRODUCTION OF BILLS

Senate Bill 837 – Senators Muse and Peters

EMERGENCY BILL

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Waterfront Entertainment
Retail Complex and Wine Festival**

FOR the purpose of exempting a certain hotel issued a Class BH license in Prince George's County from certain requirements relating to dining facilities and average daily receipts from the hire of rooms and the sale of food; establishing in Prince George's County certain alcoholic beverages licenses to be issued for use in a waterfront entertainment retail complex as defined by county ordinance; prohibiting the Board of License Commissioners from issuing certain licenses within the complex unless a certain percentage of the licenses are held by certain persons; setting maximum limits on the number of certain licenses that the Board may issue in certain years; establishing a special Class B

entertainment venue (on-sale) beer, wine and liquor license and a Class A waterfront plaza (off-sale) beer and wine license; requiring that the entertainment venue and waterfront plaza licenses be issued for use within the complex; providing for fees, restrictions on, and requirements for the entertainment venue and waterfront plaza licenses; authorizing the Board to transfer or issue certain licenses to a supermarket or grocery store of a certain size within a waterfront entertainment retail complex; establishing a wine festival license; restricting the issuance of the wine festival license to certain persons; authorizing wine festival licensees to display and sell wine under certain circumstances; authorizing the Board to establish a license fee and issue a certain license for the festival; requiring the Board to choose a certain location for the festival; requiring the Board to adopt certain regulations; defining certain terms; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6-201(r)(4)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6-201(r)(4)(iii)2.C. and 3. and 9-102(a-1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6-201(r)(4)(viii), 8-217(e), 8-217.1, 8-310.2, and 9-102(a-2)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 838 – Senator Dyson

AN ACT concerning

St. Mary's County – Video Gaming Devices – Attorney General to Seek Declaratory Judgment

FOR the purpose of requiring the Attorney General to seek a declaratory judgment in the Circuit Court of St. Mary's County against for profit or nonprofit organizations that operate certain video gaming devices in the county; providing that the declaratory judgment declare whether the devices are to be considered slot machines for certain purposes and, if so, whether a for profit video gaming

operator would be in violation of a certain statute and whether the operator would be entitled to establish a nonprofit organization for the devices; authorizing the court to allow a certain person to intervene in the proceeding under certain circumstances; providing for an appeal; requiring that the costs of the proceeding be paid by the State with the approval of the Board of Public Works; and generally relating to a declaratory judgment to be sought by the Attorney General concerning video gaming devices in St. Mary's County.

Read the first time and referred to the Committee on Rules.

Senate Bill 839 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Annapolis Summer Garden Theatre

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Summer Garden Theatre, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 840 – Senator Colburn

AN ACT concerning

**Boiler and Pressure Vessel Safety – Inspections – Antique Boilers
or Pressure Vessels**

FOR the purpose of authorizing certain inspections of certain antique boilers or pressure vessels to be made by certain private inspectors under certain circumstances; requiring certain private inspectors who make certain inspections to file a certain report with the Chief Boiler Inspector; requiring the Chief Boiler Inspector to issue a certain certificate to the owner or user of certain antique boilers or pressure vessels under certain circumstances; and generally relating to inspections of boilers and pressure vessels.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–909

Annotated Code of Maryland

(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 841 – Senator Middleton

AN ACT concerning

Maryland Community Health Resources Commission – Modifications

FOR the purpose of authorizing a certain member of the Maryland Community Health Resources Commission to be employed by a certain community health resource; establishing the terms of Commission members; authorizing the Governor to remove a member under certain circumstances; establishing requirements for Commission decisions, compensation, and staff; authorizing the Commission to implement certain programs; repealing certain standing committees; requiring the Commission to adopt regulations that implement a certain subsidy program; authorizing a community health resource that employs a member of the Commission to apply for and be eligible to receive a grant under certain circumstances; establishing the terms of certain Commission members; extending the termination date of certain provisions; and generally relating to modifications to the Maryland Community Health Resources Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–2102
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–2103, 19–2106, 19–2109(a), and 19–2201(f) and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing
Article – Health – General
Section 19–2110
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2005, as amended by
Chapter 333 of the Acts of the General Assembly of 2001
Section 14

Read the first time and referred to the Committee on Rules.

Senate Bill 842 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hard Bargain Farm Environmental Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Alice Ferguson Foundation, Inc., for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 843 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Henson Valley Montessori School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the Henson Valley Montessori School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 844 – The President (By Request – Administration) and Senators Conway, Garagiola, Jones, Lenett, Madaleno, Pinsky, and Raskin

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Administrative and Enforcement Provisions

FOR the purpose of authorizing the Maryland Home Improvement Commission to deny, reprimand, suspend, or revoke certain licenses for failure to comply with certain legal terms or requirements in the Chesapeake and Atlantic Coastal Bays Critical Area; requiring the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to notify the Maryland Home Improvement

Commission on a contractor's failure to comply with certain terms or requirements in the Critical Area; authorizing the Critical Area Commission to adopt and amend certain regulations; requiring the Critical Area Commission to adopt certain regulations; requiring that local Critical Area programs contain certain procedures, penalty provisions, and other elements; requiring a local jurisdiction to consider certain factors in the determination of certain penalties; requiring that the Critical Area Commission receive certain notice from a local jurisdiction within a certain time; establishing that certain development activities violate certain provisions of law; prohibiting a local jurisdiction from accepting certain applications for a variance unless certain conditions are satisfied; requiring a local jurisdiction to deny a variance and order certain actions under certain circumstances, and authorizing a local jurisdiction to grant proposed approval to a variance under certain circumstances; requiring the Critical Area Commission to review certain proposed variance approvals and issue certain decisions; specifying the applicability of certain standards under certain circumstances; requiring the Critical Area Commission to consider certain factors when reviewing certain map amendments or refinements; prohibiting lot coverage in the buffer in excess of a certain amount, except under certain circumstances; specifying the applicability of certain limitations to the extent of lot coverage, with certain exceptions; requiring the establishment of a certain buffer in a certain area, and allowing for certain reductions under certain circumstances; requiring that certain erosion protections consist of nonstructural shoreline stabilization measures, except under certain circumstances; requiring that the Critical Area Commission consider a local jurisdiction's determination of a classification mistake and make a certain determination; authorizing a local authority to obtain access and enter a certain property for certain purposes and under certain circumstances; requiring a local authority to take certain actions under certain circumstances related to certain violations; authorizing the Chairman of the Critical Area Commission to invoke certain sanctions and remedies and bring certain actions under certain circumstances; requiring that certain criminal prosecutions and suits for civil penalties be instituted within a certain time; modifying the initial planning areas for the determination of the Chesapeake Bay Critical Area and Atlantic Coastal Bays Critical Area by the use of a certain map; providing for the preparation, distribution, review, refinement, formal adoption, and periodic update of a certain map; clarifying the applicability of certain provisions of law; specifying certain legislative findings; defining certain terms; requiring certain local jurisdictions to report to the Critical Area Commission by a certain date regarding certain procedures; prohibiting a certain construction of this Act; making the effective date of a certain provision of this Act subject to a certain contingency; and generally relating to the Chesapeake and Atlantic Coastal Bays Critical Area Protection Program.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–101(a)
Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 8–101(g) and 8–311(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – Business Regulation

Section 8–506

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–1801, 8–1802(a)(15) through (18), 8–1806, 8–1807(a) and (b),
8–1808(c), (d), and (e), 8–1808.1(c) and (e)(2)(i), 8–1808.3, 8–1809(h) and
(o)(1), 8–1811(b)(2), 8–1815(a), and 8–1815.1(b)

Annotated Code of Maryland

(2007 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 8–1802(a)(1)

Annotated Code of Maryland

(2007 Replacement Volume)

BY adding to

Article – Natural Resources

Section 8–1802(a)(15), 8–1808.10, and 8–1808.11

Annotated Code of Maryland

(2007 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 845 – Senator Lenett

AN ACT concerning

Maryland False Claims Act

FOR the purpose of prohibiting certain actions constituting false claims against the State; providing certain penalties for making false claims against the State; requiring the Attorney General to investigate certain violations; authorizing a person other than the State to file a civil action on behalf of the State against a person who makes a false claim against the State; providing for the procedures

to be followed in a civil action; authorizing the State to proceed with the action with or without the person that initiated the action; authorizing the State to choose not to proceed with the action but allow the person that initiated the action to proceed; authorizing the court to limit the participation of the person that initiated the action under certain circumstances; authorizing the State to intervene at a later time in the proceedings or to pursue alternative remedies; authorizing the State to stay certain discovery under certain circumstances; providing for certain damages and payments to the person that initiated the action; providing for certain payments to a person that provides certain documentary materials or information; providing for certain payments to the person charged under certain circumstances if the person charged prevails; prohibiting an employer from taking retaliatory action against an employee under certain circumstances; providing certain remedies for retaliatory action; providing certain limitations on civil actions filed under this Act; providing that certain civil actions may be brought retroactively under certain circumstances; providing that certain guilty verdicts shall estop certain defendants from denying certain elements in a certain civil action; making the provisions of this Act severable; providing that a certain subtitle be liberally construed; defining certain terms; and generally relating to false claims against the State.

BY adding to

Article – State Government

Section 12–601 through 12–609 to be under the new subtitle “Subtitle 6.
Maryland False Claims Act”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 846 – Senator Kelley

AN ACT concerning

Identity Fraud – Seizure and Forfeiture of Property

FOR the purpose of establishing seizure and forfeiture procedures for property obtained through or used in connection with identity fraud; establishing conditions that would exclude certain property from forfeiture; establishing how certain property subject to forfeiture may be seized, with certain exceptions; establishing circumstances that must be considered when determining whether to seize certain property; establishing a certain deadline for filing a complaint seeking forfeiture; providing for the contents and distribution of a certain complaint; providing for the forfeiture of interest in certain real property; providing for a stay of forfeiture of a certain family residence under certain circumstances; establishing a certain rebuttable presumption; providing for certain post-hearing orders; providing for the application of proceeds from a certain sale of forfeited property; defining certain terms; providing for the

application of this Act; providing for the effective date of this Act; and generally relating to seizure and forfeiture of property used in connection with violation of the Identity Fraud law.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 12–101(c), (f), (g), (i), (k), and (o), 12–202, 12–203, 12–208 through 12–211, 12–301 through 12–308, 12–402, and 12–403

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

BY adding to

Article – Criminal Procedure

Section 13–401 through 13–409 to be under the new subtitle “Subtitle 4. Violations of Identity Fraud Law”

Annotated Code of Maryland

(2001 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 847 – Senators Conway and Gladden

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

FOR the purpose of establishing a Task Force on the Minority Business Enterprise Program and Equity Investment Capital; providing for the composition of the Task Force; requiring the President of the Senate and the Speaker of the House to select a co-chair from the Senate and House of Delegates; requiring the Department of General Services and the Department of Transportation to provide staff for the Task Force; prohibiting a Task Force member from receiving compensation but allowing a member to be reimbursed for certain expenses; requiring the Task Force to study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a certain manner; requiring the Task Force to report its recommendations and draft legislation to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Minority Business Enterprise Program and equity investment capital.

Read the first time and referred to the Committee on Rules.

Senate Bill 848 – Senator Conway

AN ACT concerning

State Board of Social Work Examiners – Membership – Qualifications

FOR the purpose of requiring a certain member of the State Board of Social Work Examiners to be primarily engaged in social worker education at a certain program; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 849 – Senator Rosapepe

AN ACT concerning

Fitness and Athletics Equity for Students with Disabilities Act

FOR the purpose of requiring county school systems to ensure the participation of students with disabilities in certain physical education and athletic programs; requiring county school systems to provide certain accommodations; requiring county school systems to develop certain programs, policies, and procedures; requiring county school systems to provide opportunities meeting certain criteria to students; requiring county school systems to designate a certain employee to handle certain duties and responsibilities; requiring each county school system to provide notice of certain information to certain individuals; requiring each county school system to adopt and publish grievance procedures meeting certain criteria; requiring the State Department of Education to monitor compliance by county school systems with certain requirements; authorizing the Department to investigate and take or require certain action in response to certain complaints; authorizing the Department to make certain determinations; authorizing the State Board of Education to take certain actions; requiring county school systems and the Department to provide certain reports; requiring the Department to adopt certain regulations; clarifying the availability of certain legal remedies; providing for the availability of certain legal action for noncompliance with certain provisions; defining certain terms; providing for a deadline for local school system compliance with certain provisions; providing for the construction of this Act; and generally relating to access to physical education and athletic programs in public schools by students with disabilities.

BY adding to
Article – Education
Section 7–4B–01 through 7–4B–07 to be under the new subtitle “Subtitle 4B.
Physical Education and Athletic Programs for Students with Disabilities”

Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 850 – Senators Pugh, Brochin, Della, Dyson, Exum, King, Klausmeier, Lenett, Madaleno, McFadden, Peters, Pinsky, Raskin, Robey, Rosapepe, and Stone

AN ACT concerning

Education – Collective Bargaining – Public School Labor Relations Board

FOR the purpose of establishing a Public School Labor Relations Board; specifying the manner of appointment, membership, duties, and responsibilities of the Board; providing for staffing of the Board; providing for the staggering of terms; authorizing the Board to adopt and enforce certain regulations, guidelines, and policies; permitting the Board to petition a circuit court to seek enforcement of an order of the Board; providing that a hearing and determination under this Act is a contested case; requiring the Board to decide any controversy or dispute involving a labor organization of certificated or noncertificated public school employees; providing that a certain decision of the Board is a final decision; requiring the Board to supervise the election of certain exclusive employee representatives; altering the determination of certain matters which may be negotiated by a certain designated representative; authorizing a certain party to petition the Board over certain matters; authorizing the Board to make a certain determination of impasse during certain negotiations under certain circumstances; authorizing the Board to provide certain assistance during a certain impasse; requiring that certain provisions are subject to certain other provisions concerning a fiscal relationship between certain parties; authorizing the Board to make a certain determination concerning bad faith bargaining and unfair labor practices; defining certain terms; altering provisions relating to the negotiation of certain matters by a public school employer; specifying certain requirements and procedures relating to the use of mediation, fact-finding, and arbitration by certain parties in certain matters subject to dispute resolution; and generally relating to the Public School Labor Relations Board and collective bargaining for certificated and noncertificated public school employees.

BY repealing and reenacting, with amendments,

Article – Education

Section 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), and 6–510

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

BY adding to

Article – Education

Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Public School Labor Relations Board”
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 851 – Senator Lenett

AN ACT concerning

Regulated Firearms – Applications for Dealer’s License – Record Keeping and Reporting Requirements

FOR the purpose of requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State-regulated firearms dealer’s license if the Secretary or designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary or designee suspend a dealer’s license if the licensee is not in compliance with certain record keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer’s business; requiring the Secretary or designee to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain way after receipt from the Secretary or designee for certain information; requiring the Secretary or designee to inspect the inventory and records of a licensed dealer without probable cause or warrant under certain circumstances; providing certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer’s license.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (s)
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–110(a), 5–114(a), and 5–115
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

BY adding to
Article – Public Safety

Section 5-144
Annotated Code of Maryland
(2003 Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 852 – Senators Kasemeyer, Kittleman, and Robey

AN ACT concerning

Health Insurance – Public-Private Health Care Programs

FOR the purpose of requiring a person to be certified by the Maryland Insurance Commissioner before operating a public-private health care program in the State; establishing certain requirements an applicant for certification must meet; requiring the Commissioner to certify an applicant to operate a public-private health care program under certain circumstances; providing for the expiration and renewal of a certification; requiring a certified nonprofit corporation to comply with and be subject to certain provisions of law; authorizing the Commissioner to deny a certification to an applicant or refuse to renew, suspend, or revoke a certification under certain circumstances; requiring that all forms, agreements, advertising, or other documents provided to participants in a public-private health care program be truthful and not misleading and be made available to the Commissioner on request; authorizing the Commissioner to issue certain orders to enforce this Act and certain regulations; specifying the manner in which an order of the Commissioner may be served on certain persons; providing that a request for a hearing on an order of the Commissioner does not stay a certain portion of the order; authorizing the Commissioner to file a petition in a certain court to enforce certain orders; authorizing the Commissioner to recover for the use of the State certain attorney's fees and costs under certain circumstances; establishing certain civil penalties; authorizing the Commissioner to adopt certain regulations; specifying the purpose of certain provisions of this Act; defining certain terms; requiring the Maryland Insurance Administration to report to certain committees of the General Assembly on the Administration's recommendations for the continuation of public-private health care programs in the State on or before a certain date; providing for the termination of this Act; and generally relating to public-private health care programs.

BY adding to

Article – Insurance

Section 14-701 through 14-709 to be under the new subtitle "Subtitle 7.
Public-Private Health Care Programs"

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON FINANCE REPORT #6

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 192 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Application of Insurance Fraud Law

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 200 – Senators Dyson and Middleton

AN ACT concerning

Commission to Study Southern Maryland Transportation Needs

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 324 – Senator Forehand (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Washington Metropolitan Area Transit Commission – Appointment of Virginia Member

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 190 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Ethics, State Commission on)**

AN ACT concerning

Ethics – Financial Disclosure – Electronic Filing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

SB0190/783929/2

BY: Senator Della

AMENDMENTS TO SENATE BILL 190

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Commission;” insert “providing that the mandatory electronic filing requirement does not apply to certain State officials or certain candidates;”; in line 9, after “15–602(a)” insert “, (b).”; and in line 14, strike “15–602(b) and (c)” and substitute “15–602(c)”.

AMENDMENT NO. 2

On page 2, in line 1, after “(1)” insert “EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION,”.

AMENDMENT NO. 3

On page 2, in line 7, after “(b)” insert “(1)”; and after line 9, insert:

“(2) THE ELECTRONIC FILING REQUIREMENT UNDER SUBSECTION (A)(1) OF THIS SECTION DOES NOT APPLY TO ELECTED STATE OFFICIALS OR CANDIDATES FOR ELECTION TO AN OFFICE HELD BY A STATE OFFICIAL.”.

The preceding 3 amendments were read only.

Senator Della moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**Senate Bill 191 - Chair, Education, Health, and Environmental Affairs
Committee (By Request - Departmental - Ethics, State Commission on)**

AN ACT concerning

**State Ethics Commission - Electronic Filing Under Oath or Affirmation -
Electronic Signature**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0191/364835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 191

(First Reading File Bill)

On page 2, in line 4, strike "A signed statement" and substitute "AN ELECTRONIC SIGNATURE".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 146)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #9

Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 7 (See Roll Call No. 147)

The Bill was then sent to the House of Delegates.

**LINCOLN DAY ADDRESS
Presented to the Senate of Maryland
Senator Barry Glassman
Monday February 11, 2008**

“A TALE OF LINCOLN, THE 43RD US COLORED INFANTRY AND SHEPHERDS”

Mr. President, President Pro-Tem, fellow senators and guests. After nine years in the House Chamber, I never thought I would come to this historic Senate Chamber to share my love of Lincoln on the national celebration of this great American's birth. As a student of Lincoln and the Civil War, my beginning in public service has been intrinsically linked to the final resting place of four of his colored infantry who are buried in my beloved Harford County.

During the first year or two after the battle of Fort Sumter, the Union held the position that the war was to restore the union, not to abolish slavery. Thousands of runaway slaves flocked to join the Army of the Potomac as President Lincoln struggled with clear directions to his field commanders.

Harford Countian and Quartermaster General Montgomery Meigs led the way. On his own, he issued a statement “that negroes are, so far as the Army Officers are concerned free and if employment meant military service, so be it.” President Lincoln soon followed his lead.

Once President Lincoln issued the final Emancipation Proclamation in 1863, the Union Army recruited black soldiers as a matter of course. By war's end 179,000 black

men - the vast majority former slaves - had served in the Federal Union. Army Records show that over 8700 were from Maryland, the second largest number of colored troops from the Union States.

Lincoln wrote to Grant, "We were not fully ripe for it until the river was opened." "That the emancipation policy and the use of colored troops, constitute the heaviest blow yet dealt to the rebellion and these successes could not have been achieved but for the aid of black soldiers."

Recent research shows at least a few of these great soldiers were Harford Countians – Jeremiah Presbury, James Collins, Jesse White, Lloyd Ramsay, Peter Moses, Abraham Turner, Santa Bowser and Lewis Bowser – all former slaves from the Havre de Grace area. Records at the National Archives show that all eight served with distinction in Lincoln's army. Lewis Bowser's war record is thoroughly documented because he had to sue the United States government in 1905 to collect his military pension. He won. By the end of the war, military service for runaway slaves was to spell the end of slavery in Maryland.

President Lincoln often wrote of his leadership of these colored troops and in support of emancipation – with biblical references in terms of the Good Shepherd – guarding and protecting his flock. As a sheep farmer this is a topic close to my heart.

So you can imagine my thrill as I found this speech given by Lincoln at the Baltimore Sanitary Fair. Now my distinguished friend from the 40th District and I had to spend some time figuring out exactly what this Baltimore Sanitary Fair was all about. Sanitary fairs were really events designed to fill the coffers of the US Sanitary Commission to support the war effort. The fairs sold donated items, provided entertainment and offered food. Sounds a little like early models for political fundraisers. Sanitary Fairs appeared at a time when Northerners were beginning to rejoice emerging Union victories.

His message to the colored troops gathered in Baltimore was stirring:

"Looking upon these many people, assembled here, these brave soldiers of the Union, a few years ago the same soldiers could not so much as pass through Baltimore." They now guard my flock.

"The shepherd drives the wolf from the sheep's throat. For which the sheep thanks the shepherd as a liberator, while the wolf denounces him for destroying liberty, especially as the sheep was a black one. Hence we behold the process by which thousands are daily passing from under the yoke of bondage. Recently, as it seems, the people of Maryland have been doing this to define liberty; and thanks to them the wolf's dictionary has been repudiated."

You know that Abraham Lincoln's talk of flocks and sheep coincides with his reliance on the bible in many of his writings. For a man who survived bankruptcy,

election losses and personal tragedies, he realized throughout biblical times the lives of shepherds who enjoyed greatness were always preceded by lessons of humility.

Jacob tended sheep most of his life but told Joseph not to mention shepherding as the family business.

Moses spent 40 years in the desert shepherding before delivering his people.

David was ordered to stay behind to watch the sheep and goats while his brothers belittled him before battling the Phillistines. Little did they know he was to be a shepherd before he was to be a King.

Lincoln's lessons also passed before he became such a transforming figure of the American experience. He became the Good Shepherd he wanted to be. The Shepherd of the Union.

During the Civil War in my home village of Darlington, local shepherd Bill Worthington would kill a sheep and roast it to feed runaway slaves before sending them across the Susquehanna. The farmers of Darlington were generally the most tolerant people in the county on matters of race and became a center of abolitionist activity. Nearby Swallowfields was a stop on the Underground Railroad. They would move from the dark dampness of a stone ice house to eat their mutton before mounting rafts at Shuersville landing, about where the Conowingo Dam stands today, for their journey north to freedom and military service.

At times, like Lincoln, we are all called to be shepherds. In fact, my call to public service came from the St. James AME church shepherd 20 years ago. You see I know of those four soldiers who fought for Lincoln, whose graves lie in the cemetery at Gravel Hill in Harford County. They are buried on the church property of Rev. Violet Hopkins Tann who could not be with us this evening due to ill health. However Brother William Butler who blessed our opening is a returning National Guard Chaplain and representing the Church at Gravel Hill. It is a fitting resting place for these soldiers since Lewis Bowser and Abraham Turner had served on the board of trustees of the Church.

Rev. Tann brought this young man to that cemetery to stand and be counted for these soldiers. As a guardian of this historic church and cemetery, she stood against a proposed rubblefill only yards from Lincoln's resting colored soldiers. Her call to protect these sacred soldiers started me on this journey of study and service which has brought me to this podium tonight.

My new colleagues, I hope you have enjoyed this snapshot of Lincoln, Colored Union Soldiers, Shepherds and me. Keep a good lookout. At times you too may be called to be shepherds. Like Lincoln when he slayed the wolf of slavery for his black lambs or Rev. Tann 120 years later, when she chased the dozers from the bounds of the graves of Bowser, Turner and Moses. Dear colleagues remember you don't need a field full of sheep to be a good shepherd.

Take the courage of Lincoln and be good shepherds of our flock the people of Maryland.

God Bless the savior of the Union –
THE SHEPHERD OF THE UNION
Abraham Lincoln

Thank you Mr. President

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 148)

ADJOURNMENT

At 8:55 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 12, 2008 in Memory of Dr. Helen J. Goodman, mother of Senator Kelley.

Annapolis, Maryland
Tuesday, February 12, 2008
10:00 A.M. Session

The Senate met at 10:20 A.M.

Prayer by Pastor Phillip Ayers, Covenant United Methodist Church, guest of Senator King.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 11, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Harris and Jacobs be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 152)

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 190 - Chair, Education, Health, and Environmental Affairs
Committee (By Request - Departmental - Ethics, State Commission on)**

AN ACT concerning

Ethics - Financial Disclosure - Electronic Filing

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3)
OFFERED FROM THE FLOOR BY SENATOR DELLA.

FLOOR AMENDMENT

SB0190/783929/2

BY: Senator Della

AMENDMENTS TO SENATE BILL 190
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "Commission;" insert "providing that the mandatory electronic filing requirement does not apply to certain State officials or certain candidates;"; in line 9, after "15-602(a)" insert ", (b)."; and in line 14, strike "15-602(b) and (c)" and substitute "15-602(c)".

AMENDMENT NO. 2

On page 2, in line 1, after "(1)" insert "EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION,".

AMENDMENT NO. 3

On page 2, in line 7, after "(b)" insert "(1)"; and after line 9, insert:

"(2) THE ELECTRONIC FILING REQUIREMENT UNDER SUBSECTION (A)(1) OF THIS SECTION DOES NOT APPLY TO ELECTED STATE OFFICIALS OR CANDIDATES FOR ELECTION TO AN OFFICE HELD BY A STATE OFFICIAL."

The preceding 3 amendments were read and adopted by a roll call vote as follows:

Affirmative – 30 Negative – 15 (See Roll Call No. 153)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 117 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley, and Klausmeier

AN ACT concerning

Baltimore County – State's Attorney – Salary

SB0117/268076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 117

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Klausmeier” and substitute “Klausmeier, and Zirkin”; in line 3, strike “clarifying” and substitute “establishing”; in the same line, after “County” insert “beginning with the State’s Attorney elected in a certain year”; and in line 4, strike “amount” and substitute “percentage; clarifying language; providing that this Act does not apply to the salary or compensation of the incumbent State’s Attorney for Baltimore County”.

AMENDMENT NO. 2

On page 2, in line 1, after “(b)” insert “**(1)**”; in the same line, strike “[, and” and substitute “**AND PARAGRAPH (2) OF THIS SUBSECTION,**”; in lines 3, 4, and 6, in each instance, strike the bracket; in lines 4 and 5, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 6, after “office” insert a period; in line 7, strike “**(1)**” and substitute “**(2)(I)**”; in the same line, strike “**BEGINNING ON JANUARY 2, 2008**” and substitute “**BEGINNING WITH THE TERM OF THE STATE’S ATTORNEY ELECTED TO THAT POSITION IN 2010**”; in line 9, strike “**(2)**” and substitute “**(II)**”; in the same line, strike “**IN**” and substitute “**FOR THE YEAR BEGINNING ON JANUARY 1, 2012, AND**”; strike beginning with “**THE**” in line 10 down through “**EMPLOYEES**” in line 11 and substitute “**1%**”; and after line 11, insert:

“**SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary or compensation of the State’s Attorney for Baltimore County in office on the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the State’s Attorney for Baltimore County shall take effect at the beginning of the next following term of office.**”;

and in line 12, strike “2.” and substitute “**3.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 120 – Senator Astle

AN ACT concerning

**Anne Arundel County and City of Annapolis – Fire and Explosive
Investigations – Deputy Fire Marshal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #1

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 12 – Senator McFadden

AN ACT concerning

**Income Tax – Subtraction Modification – United States Coast Guard
Auxiliary – Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 195 – Chair, Budget and Taxation Committee (By Request –
Departmental – Baltimore City Community College)**

AN ACT concerning

**Law Enforcement Officers’ Pension System – Baltimore City Community
College – Police Officers**

SB0195/929031/2

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 195
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "College)" insert "and Senator McFadden"; and in line 6, after "System;" insert "requiring that a certain budget for the Baltimore City Community College include an appropriation for the purpose of transferring certain police officers into the Law Enforcement Officers' Pension System;".

AMENDMENT NO. 2

On page 3, after line 3, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the operating budget for the Baltimore City Community College for fiscal year 2009 shall include an appropriation for the purpose of transferring police officers employed by the Baltimore City Community College into the Law Enforcement Officers' Pension System as provided in Section 1 of this Act.";

and in line 4, strike "2." and substitute "3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 300 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation)**

AN ACT concerning

Motor Vehicle Excise Tax – Exemption for Returning Military Members

SB0300/629735/2

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 300

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Transportation)” insert “and Senators Currie, Brinkley, DeGrange, Edwards, Jones, Kasemeyer, King, Kramer, Madaleno, McFadden, Munson, Peters, Robey, Stoltzfus, and Zirkin”; and in line 4, after “from” insert “, or on,”.

AMENDMENT NO. 2

On page 2, in line 14, after “FROM” insert “, OR ON,”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 308 – Senator Pinsky

AN ACT concerning

Town of Berwyn Heights Employees – Participation in the Employees’ Pension System

SB0308/469539/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 308

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “date;” insert “providing that membership in the Employees’ Pension System is optional for certain employees of the Town of Berwyn Heights; requiring certain employees of the Town of Berwyn Heights to make a certain election on a certain date; requiring certain employees of the Town of Berwyn Heights, in order to elect to be a member of the Employees’ Pension System, to file a written”

application with the Board of Trustees of the State Retirement and Pension System.”; and in line 19, after “Section” insert “23-204(e) and”.

AMENDMENT NO. 2

On page 3, in line 27, after “(1)” insert “**THIS SUBSECTION DOES NOT APPLY TO AN EMPLOYEE OF THE TOWN OF BERWYN HEIGHTS.**”

(2);

and in the same line, strike “(2)” and substitute “**(3)**”.

On page 4, in lines 1 and 5, in each instance, strike “(2)” and substitute “**(3)**”; in line 9, strike the brackets; strike beginning with the semicolon in line 10 down through “**HEIGHTS**” in line 11; after line 11, insert:

“(E) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS AN EMPLOYEE OF THE TOWN OF BERWYN HEIGHTS ON JUNE 30, 2008.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, MEMBERSHIP IN THE EMPLOYEES’ PENSION SYSTEM IS OPTIONAL FOR AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WHO ELECTS MEMBERSHIP ON JULY 1, 2008.

(3) TO ELECT TO BE A MEMBER OF THE EMPLOYEES’ PENSION SYSTEM, AN INDIVIDUAL SHALL FILE A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES.”;

and in line 24, after “WHO” insert “**ELECTS MEMBERSHIP IN THE EMPLOYEES’ PENSION SYSTEM UNDER § 23-204(E) OF THIS ARTICLE AND**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 154)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #10

Senate Bill 123 – Senator Astle

AN ACT concerning

**Anne Arundel County – Department of Detention Facilities Correctional
Employees – Polygraph Examinations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 155)

The Bill was then sent to the House of Delegates.

**Senate Bill 179 – Chair, Finance Committee (By Request – Departmental –
Labor, Licensing and Regulation)**

AN ACT concerning

State Racing Commission – Mile Thoroughbred Racing – Payment of Taxes

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 156)

The Bill was then sent to the House of Delegates.

**Senate Bill 194 – Chair, Finance Committee (By Request – Departmental –
Human Resources)**

AN ACT concerning

**Department of Human Resources – New Hires Registry Quarterly
Report – Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 157)

The Bill was then sent to the House of Delegates.

Senate Bill 197 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Harness Racing – Maryland Standardbred Race Fund

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 158)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 159)

ADJOURNMENT

At 11:02 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 13, 2008, in memory of Leola Dorsey.

Annapolis, Maryland
Wednesday, February 13, 2008
10:00 A.M. Session

The Senate met at 10:20 A.M.

Prayer by Pastor Steven M. Hall, Heritage Community Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 12, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Mooney be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 161)

INTRODUCTION OF BILLS

Senate Bill 853 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Washington County – Agricultural/Education Center Loan of 2000

FOR the purpose of amending the Washington County – Agricultural/Education Center Loan of 2000 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by June 1, 2010.

BY repealing and reenacting, with amendments,
Chapter 302 of the Acts of the General Assembly of 2000
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 854 – Senators Jones, McFadden, and Pugh

EMERGENCY BILL

AN ACT concerning

Tax Sales – Minimum Tax Due – Redemption Payments – Reimbursement of Expenses on Redemption

FOR the purpose of altering a provision allowing a property tax collector to withhold property from a tax sale when total taxes due on the property amount to less than a certain amount; altering the manner by which a person redeeming a property shall pay the collector certain expenses and fees under certain circumstances; altering the type and amount of expenses for which a plaintiff or holder of a certificate of sale is entitled to be reimbursed under certain circumstances; making this Act an emergency measure; and generally relating to tax sales.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–811, 14–828(a), and 14–843
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 855 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Rosaryville Conservancy

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Rosaryville Conservancy, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 856 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Gwendolyn T. Britt Memorial Safe Passage Emergency Shelter Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Family Crisis Center of Prince George's County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 857 – Senator Lenett

AN ACT concerning

Uniform Emergency Volunteer Health Practitioners Act

FOR the purpose of providing for the applicability of this Act to certain volunteer health practitioners; authorizing certain agencies and offices in the State to have certain authority while an emergency declaration is in effect; requiring certain entities to consult with certain agencies and offices and to comply with certain laws; providing for the requirements to qualify as a volunteer health practitioner registration system; authorizing certain agencies and offices to confirm that volunteer health practitioners are registered with a certain registration system when an emergency declaration is in effect; authorizing certain volunteer health practitioners who are licensed in other states to practice in this State under certain circumstances; providing that this Act does not affect the credentialing or privileging standards of a health facility; requiring a volunteer health practitioner to adhere to a certain scope of practice; authorizing certain State licensing boards to modify the services that may be provided by a volunteer health practitioner; authorizing a host entity to restrict the services that may be provided by a volunteer health practitioner; providing for the circumstances under which a volunteer health practitioner engages in unauthorized practice; authorizing certain licensing boards or disciplinary authorities to impose certain sanctions; requiring certain licensing boards or disciplinary boards to consider certain factors when determining whether to impose sanctions; providing that this Act does not limit certain rights provided to volunteer health practitioners and does not affect certain requirements under the Emergency Management Assistance Compact; authorizing certain agencies or offices to incorporate certain volunteer health practitioners into the emergency forces of the State; authorizing the Maryland Emergency Management Agency, in consultation with the Office of Preparedness and Response, to adopt certain regulations; providing for the application and construction of this Act; defining certain terms; and generally relating to the Uniform Emergency Volunteer Health Practitioners Act.

BY adding to

Article – Health Occupations

Section 1–701 through 1–710 to be under the new subtitle “Subtitle 7. Uniform
Emergency Volunteer Health Practitioners Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 858 – Senator Kasemeyer

AN ACT concerning

Baltimore County – Arbutus Community Center Loan of 2000

FOR the purpose of amending the Baltimore County – Arbutus Community Center Loan of 2000 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by June 1, 2010.

BY repealing and reenacting, without amendments,

Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter 168 of the Acts of the General Assembly of 2002, Chapter 149 of the Acts of the General Assembly of 2004, and Chapter 76 of the Acts of the General Assembly of 2007

Section 1(1)

BY adding to

Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter 168 of the Acts of the General Assembly of 2002, Chapter 149 of the Acts of the General Assembly of 2004, and Chapter 76 of the Acts of the General Assembly of 2007

Section 1(6)

Read the first time and referred to the Committee on Rules.

Senate Bill 859 – Senator Kasemeyer

AN ACT concerning

**Blue Ribbon Commission to Study Retiree Health Care Funding Options –
Extension of Reporting and Termination Dates**

FOR the purpose of altering the date by which the Blue Ribbon Commission to Study Retiree Health Care Funding Options is required to submit a certain report; extending the termination date of the Blue Ribbon Commission to Study Retiree Health Care Funding Options until a certain date; and generally relating to the

reporting and termination dates of the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34-201(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Chapter 433 of the Acts of the General Assembly of 2006
Section 3

Read the first time and referred to the Committee on Rules.

Senate Bill 860 – Senator Glassman

AN ACT concerning

Forest and Park Wardens – Responsibilities

FOR the purpose of repealing a certain requirement that a forest or park warden take certain actions on learning of a forest fire; making certain stylistic changes; and generally relating to the responsibilities of a forest or park warden.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5-701
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 861 – Senators Conway and Exum

AN ACT concerning

Task Force to Study Abuse of Performance-Enhancing Substances

FOR the purpose of establishing the Task Force to Study Abuse of Performance-Enhancing Substances; providing for the membership of the Task Force; providing for the designation of the chair of the Task Force; requiring the Department of Legislative Services to provide staff support to the Task Force; providing that a member of the Task Force is not entitled to compensation but is entitled to certain reimbursement; requiring the Task Force to study certain items; requiring the Task Force to make certain recommendations; requiring the Task Force to submit certain reports to the

Governor and General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study Abuse of Performance-Enhancing Substances.

Read the first time and referred to the Committee on Rules.

Senate Bill 862 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Historic Redevelopment

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Historic East Baltimore Community Action Coalition, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 863 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland State Boychoir Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of The Maryland State Boychoir, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 864 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Mount Pleasant Family Life Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Mount Pleasant Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 865 – Senator Dyson

AN ACT concerning

Vehicle Laws – Drivers’ Licenses and Learners’ Instructional Permits – Minors

FOR the purpose of altering the minimum ages required for eligibility for a learner’s instructional permit, a provisional driver’s license, and a driver’s license; altering the hour restriction that limits when a holder of a provisional driver’s license who is under a certain age may drive; extending the period of time from the date a provisional driver’s license is issued to a minor during which the minor is prohibited from transporting certain individuals under a certain age as passengers except under certain circumstances; and generally relating to drivers’ licenses and learners’ permits for minors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103(c), 16–113(d), and 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 866 – Senator Della

AN ACT concerning

Motor Vehicle Insurance – Use of Credit History in Rating Policies

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit

history of an applicant or insured in any manner; repealing certain provisions of law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance subject to certain limitations and requirements; making conforming and clarifying changes; providing for the application of this Act; and generally relating to rating policies of private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(e–2)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 867 – Senators Jones, Conway, Currie, Exum, Gladden,
Harrington, McFadden, Muse, and Pugh**

AN ACT concerning

**Historically Black Institutions – State Funding – Blount–Rawlings–Britt HBI
Comparability Program**

FOR the purpose of establishing the Blount–Rawlings–Britt HBI Comparability Program to provide supplemental funding assistance to the State’s public 4–year historically black institutions (HBIs); stating the purpose of the Program; requiring the Maryland Higher Education Commission to adopt certain standards and procedures; requiring the Governor to provide funds for the Commission to distribute to HBIs; providing for the calculation of the annual operating budget distribution to each of the HBIs; providing for the annual distribution of certain capital funds to the HBIs; defining certain terms; and generally relating to the Blount–Rawlings–Britt HBI Comparability Program for public 4–year historically black institutions.

BY adding to
Article – Education
Section 17–401 through 17–404 to be under the new subtitle “Subtitle 4.
Blount–Rawlings–Britt HBI Comparability Program”
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 868 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Everyman Theatre

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Everyman Theatre, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 869 – Senator Pugh

AN ACT concerning

Baltimore City Public Schools – High School Students – Voter Education

FOR the purpose of declaring the intent of the General Assembly that, at a certain time, teachers of high school students enrolled in Baltimore City public schools inform students about certain election processes, including certain information; and generally relating to voter education of high school students enrolled in Baltimore City public schools.

BY adding to

Article – Education

Section 4–309(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 870 – Senator Pugh

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2003 – Baltimore Zoo

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2003 to extend the deadline by which the Maryland Zoological Society may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by

Chapter 176 of the Acts of the General Assembly of 2005

Section 1(3) Item ZA00(B)

Read the first time and referred to the Committee on Rules.

Senate Bill 871 – Senator Peters

AN ACT concerning

Real Property Assessments – Market Declines – Revaluation

FOR the purpose of requiring certain real property to be revalued outside of the triennial assessment cycle under certain circumstances if the median price for homes in the county where the real property is located has declined as determined in a certain manner; and generally relating to the required revaluation of certain real property outside of the triennial assessment cycle under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–104(c)
Annotated Code of Maryland
(2007 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 872 – Senator Peters

AN ACT concerning

Veterans of Afghanistan and Iraq Mental Health Pilot Program

FOR the purpose of establishing the Veterans of Afghanistan and Iraq Mental Health Pilot Program at the Montgomery County General Hospital in Montgomery County; providing that the Pilot Program shall coordinate and provide certain mental health services to certain veterans and the spouses and dependents of certain veterans; providing that the Pilot Program may include certain services; requiring the Governor to include a certain appropriation of a certain amount in the State budget in a certain fiscal year; requiring the Mental Hygiene Administration to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Veterans of Afghanistan and Iraq Mental Health Pilot Program.

BY adding to

Article – Health – General
Section 10–1601 through 10–1604 to be under the new subtitle “Subtitle 16.
Veterans of Afghanistan and Iraq Mental Health Pilot Program”
Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1 - Senator Lenett

AN ACT concerning

Maryland Legislative Youth Advisory Council

SB0001/284633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 13, and 17, in each instance, strike "Legislative"; in line 4, after "appointment," insert "selection"; in line 4, after "Council," insert "establishing an executive board; providing for the selection of the executive board; requiring the consideration of certain factors in the appointment or selection of certain members by certain persons"; in line 5, after "Council," insert "providing for the development of a certain initial application and application process"; and in line 8, after "service," insert "requiring the State Department of Education and the Maryland Higher Education Commission to notify certain individuals of the creation of the Council for a certain purpose"; in line 12, after "the" insert "Governor and the"; and in line 24, strike "**LEGISLATIVE**".

AMENDMENT NO. 2

On page 2, in lines 3 and 7, in each instance, strike "**LEGISLATIVE**"; after line 4, insert:

“(3) “HIGH SCHOOL STUDENT” MEANS A YOUTH WHO IS ENROLLED IN HIGH SCHOOL, WHO IS A HOME SCHOOL STUDENT, OR WHO IS ENROLLED IN A PROGRAM THAT LEADS TO A HIGH SCHOOL DIPLOMA OR CERTIFICATE OF ATTENDANCE OR A GENERAL EQUIVALENCY DIPLOMA.

“(4) “INSTITUTION OF POSTSECONDARY EDUCATION” HAS THE MEANING STATED IN § 10-101 OF THE EDUCATION ARTICLE.

“(5) “PUBLIC SENIOR HIGHER EDUCATION INSTITUTION” HAS THE MEANING STATED IN § 10-101 OF THE EDUCATION ARTICLE.”;

in line 5, strike “(3)” and substitute “(6)”; in lines 5 and 6, strike “22 YEARS OLD OR YOUNGER” and substitute “14 TO 22 YEARS OLD”; strike in their entirety lines 11 through 14, inclusive, and substitute:

“(1) SIX HIGH SCHOOL STUDENTS, INCLUDING AT LEAST THREE WHO ARE STUDENTS IN THE STATE AND WHO ARE ENROLLED IN PUBLIC HIGH SCHOOLS;”;

in lines 15 and 16 and 24 and 25, in each instance, strike “POSTSECONDARY EDUCATIONAL INSTITUTIONS” and substitute “INSTITUTIONS OF POSTSECONDARY EDUCATION”; in line 17, strike “AND”; strike in their entirety lines 20 through 23, inclusive, and substitute:

“(1) SIX HIGH SCHOOL STUDENTS, INCLUDING AT LEAST THREE WHO ARE STUDENTS IN THE STATE AND WHO ARE ENROLLED IN PUBLIC HIGH SCHOOLS;”;

in line 26, after “DELEGATES” insert “;

(3) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(1) TWELVE YOUTHS, INCLUDING AT LEAST TEN HIGH SCHOOL STUDENTS, AT LEAST FIVE OF WHOM SHALL BE STUDENTS IN THE STATE WHO ARE ENROLLED IN PUBLIC HIGH SCHOOLS; AND

(II) FOUR YOUTHS WHO ARE STUDENTS AT INSTITUTIONS OF POSTSECONDARY EDUCATION LOCATED IN THE STATE;

(4) THE FOLLOWING MEMBERS SELECTED BY OTHER YOUTHS, INCLUDING:

(I) FIFTEEN HIGH SCHOOL STUDENTS CHOSEN BY THE MARYLAND ASSOCIATION OF STUDENT COUNCILS; AND

(II) EIGHT YOUTHS WHO ARE STUDENTS AT INSTITUTIONS OF POSTSECONDARY EDUCATION LOCATED IN THE STATE, INCLUDING:

1. THREE MEMBERS SELECTED BY THE UNIVERSITY SYSTEM OF MARYLAND STUDENT COUNCIL; AND

2. FIVE MEMBERS SELECTED BY THE STUDENT ADVISORY COUNCIL TO THE MARYLAND HIGHER EDUCATION COMMISSION, INCLUDING:

A. AT LEAST ONE MEMBER WHO IS ENROLLED IN A COMMUNITY COLLEGE;

B. AT LEAST ONE MEMBER WHO IS ENROLLED IN A PRIVATE COLLEGE OR UNIVERSITY; AND

C. AT LEAST ONE MEMBER WHO IS ENROLLED IN A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION WHO IS NOT OTHERWISE REPRESENTED ON THE COUNCIL; AND

(5) AN EXECUTIVE BOARD THAT CONSISTS OF:

(I) FOUR MEMBERS SELECTED BY THE YOUTH MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE, INCLUDING:

1. THREE HIGH SCHOOL STUDENTS; AND

2. ONE STUDENT AT AN INSTITUTION OF POSTSECONDARY EDUCATION;

(II) FOUR MEMBERS SELECTED BY THE YOUTH MEMBERS APPOINTED BY THE GOVERNOR, INCLUDING:

1. THREE HIGH SCHOOL STUDENTS; AND

2. ONE STUDENT AT AN INSTITUTION OF POSTSECONDARY EDUCATION; AND

(III) FOUR MEMBERS SELECTED BY THE YOUTH MEMBERS CHOSEN BY OTHER YOUTH, INCLUDING:

1. THREE HIGH SCHOOL STUDENTS; AND

2. ONE STUDENT AT AN INSTITUTION OF POSTSECONDARY EDUCATION.

(D) IN DECIDING WHICH MEMBERS TO APPOINT OR SELECT:

(1) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE SHALL, TO THE EXTENT PRACTICABLE, CONSIDER:

(i) THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE;

(ii) DIVERSITY IN EDUCATION, INCLUDING NONTRADITIONAL SETTINGS SUCH AS VOCATIONAL AND TECH-ORIENTED EDUCATION; AND

(iii) YOUTHS WITH DISABILITIES;

(2) THE GOVERNOR SHALL, TO THE EXTENT PRACTICABLE, CONSIDER:

(I) THE GEOGRAPHIC AND DEMOGRAPHIC DIVERSITY OF THE STATE;

(II) DIVERSITY IN EDUCATION, INCLUDING NONTRADITIONAL SETTINGS SUCH AS VOCATIONAL AND TECH-ORIENTED EDUCATION;

(III) YOUTHS WITH DISABILITIES; AND

(IV) TRANSITIONAL YOUTHS WHO ARE NOT IN HIGH SCHOOL OR AN INSTITUTION OF POSTSECONDARY EDUCATION AND NOT LIKELY TO ATTEND AN INSTITUTION OF POSTSECONDARY EDUCATION; AND

(3) THE MARYLAND ASSOCIATION OF STUDENT COUNCILS SHALL CONSIDER YOUTHS WHO ARE ENROLLED IN SCHOOLS REPRESENTED BY THE ASSOCIATION AS WELL AS APPLICANTS WHO ARE ENROLLED IN SCHOOLS THAT ARE NOT REPRESENTED BY THE ASSOCIATION”;

and in line 27, strike “(D)” and substitute “(E)”.

AMENDMENT NO. 3

On page 3, in lines 1 and 3, in each instance, after “APPOINTED” insert “OR SELECTED”; in lines 9, 17, and 19, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; in line 12, strike “THE MEMBER FROM THE SENATE” and substitute “A REPRESENTATIVE OF THE GOVERNOR’S OFFICE FOR CHILDREN APPOINTED BY THE GOVERNOR, THE MEMBER FROM THE SENATE,”; after line 16, insert:

“(4) THE COCHAIR APPOINTED BY THE GOVERNOR SHALL, ON BEHALF OF THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE, DEVELOP AN INITIAL APPLICATION AND APPLICATION PROCESS, BOTH OF WHICH THE COUNCIL MAY CHANGE AT ITS DISCRETION.”;

in line 17, after “THE” insert “GOVERNOR’S OFFICE FOR CHILDREN, IN ADDITION TO THE”; and in line 20, after “THE” insert “GOVERNOR AND THE”.

On page 4, in line 5, strike “AND”; in line 6, after “SERVICES;” insert:

“(XII) SUICIDE PREVENTION; AND

(XIII) EDUCATIONAL ACCESSIBILITY ISSUES FOR STUDENTS WITH DISABILITIES, INCLUDING ACCESS TO:

1. SCHOOLS;
2. SCHOOL-RELATED ACTIVITIES; AND
3. CLASSES;”;

in line 12, strike “(H)” and substitute “(I) (1)”; after line 14, insert:

“(2) THE STATE DEPARTMENT OF EDUCATION AND THE MARYLAND HIGHER EDUCATION COMMISSION SHALL NOTIFY THE HEAD ADMINISTRATORS OF ALL STATE HIGH SCHOOLS AND OF ALL INSTITUTIONS OF POSTSECONDARY EDUCATION, RESPECTIVELY, OF THE CREATION OF THE COUNCIL SO THAT THE ADMINISTRATORS MAY INFORM THEIR STUDENTS.”;

and in lines 15 and 24, strike “(I)” and “(J)”, respectively, and substitute “(J)” and “(K)”, respectively.

On page 5, in lines 7 and 13, strike “(K)” and “(L)”, respectively, and substitute “(L)” and “(M)”, respectively; and in line 14, after “ACTIVITIES” insert “TO THE GOVERNOR AND”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 63 – Harford County Senators

AN ACT concerning

Harford County - Alcoholic Beverages - Cafe License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 184 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Education)

AN ACT concerning

Family Law - Child Care Centers - Emergency Suspensions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 193 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Human Resources)

AN ACT concerning

Family Law - Social Services Administration - Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #7

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 61 - Senators Kelley, Della, Exum, Garagiola, Klausmeier, Middleton, and Pugh

AN ACT concerning

Commission to Study the Title Insurance Industry in Maryland

SB0061/657878/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 61

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, strike "Judiciary" and substitute "Environmental Matters".

On pages 1 and 2, strike beginning with "and" in line 20 on page 1 down through "members." in line 10 on page 2 and substitute:

(3) the Maryland Insurance Commissioner, or the Commissioner's designee;

(4) the Maryland Attorney General, or the Attorney General's designee;

(5) the Commissioner of Financial Regulation, or the Commissioner's designee;

(6) the Executive Director of the Maryland Real Estate Commission, or the Executive Director's designee;

(7) the chair of the Maryland Affordable Housing Trust, or the chair's designee;

(8) a title insurance producer licensed in Maryland, designated by the Maryland Land Title Association;

(9) a representative of a title insurance company domiciled in Maryland, designated by the Maryland Land Title Association;

(10) a representative of a national title insurance company doing business in Maryland and other states, designated by the Maryland Coalition of Title Insurers;

(11) a mortgage broker licensed in Maryland, designated by the Maryland Association of Mortgage Brokers;

(12) a mortgage lender affiliated with a bank and doing business in Maryland, designated by the Maryland Mortgage Bankers Association;

(13) a mortgage lender not affiliated with a bank and doing business in Maryland, designated by the Maryland Mortgage Bankers Association;

(14) a representative of the Maryland Bankers Association, designated by the Maryland Bankers Association;

(15) a representative of a State-chartered community bank in Maryland, designated by the Maryland Bankers Association;

(16) a representative of a bank chartered under federal law and doing business in Maryland and other states, designated by the Maryland Bankers Association;

(17) a representative of the Maryland State Builders Association, designated by the Maryland State Builders Association;

(18) a representative of the Section of Real Property Planning and Zoning of the Maryland State Bar Association, designated by the Maryland State Bar Association;

(19) a practicing real estate attorney familiar with title insurance settlements and not licensed as a title insurance producer, designated by the Maryland State Bar Association; and

(20) two consumer members appointed by the Governor.”;

and in line 11, strike “elect a chair from among its members” and substitute “be co-chaired by:”

(1) one of the members of the Senate, as designated by the President of the Senate; and

(2) one of the members of the House of Delegates, as designated by the Speaker of the House”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “study” in line 17 on page 2 down through “solvency.” in line 12 on page 3 and substitute “make recommendations for changes to State laws relating to the title insurance industry.”

(g) In order to develop recommendations, the Commission shall:

(1) review State laws relating to the title insurance industry;

(2) review the mechanisms available to enforce State laws relating to the title insurance industry and the effectiveness of those mechanisms;

(3) identify title insurance industry issues that affect consumers in Maryland;

(4) examine the rate-setting factors for title insurance premiums;

(5) examine how rates and services in a title plant state compare to those in Maryland;

(6) identify ways to improve consumer education about the title insurance industry;

(7) study whether mechanics’ liens on properties scheduled for settlement have an impact on the timeliness of settlements or on title insurance premium rates;

(8) review the time limits, subsequent to closing, for the issuance of title insurance policies;

(9) study affiliated business arrangements among title insurance producers, builders, title insurance companies, realtors, lenders, and other businesses

involved with the settlement of real estate transactions to determine the impact of these arrangements on title insurance premium rates; and

(10) study any other issue with significant impact on the title insurance industry.”;

and in line 13, strike “(g)” and substitute “(h)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 176 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Motor Fuel – Use of Dyed Diesel Fuel – Violations

SB0176/877473/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 176
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 31, after “(D)” insert “(1)”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “(1)” in line 33 on page 2 down through “SECTION.” in line 4 on page 3 and substitute:

“(I) COMMITTS A VIOLATION OF THIS SECTION;

“(II) ATTEMPTS TO COMMIT A VIOLATION OF THIS SECTION;

- (III) CONSPIRES TO COMMIT A VIOLATION OF THIS SECTION;
- (IV) AIDS ANOTHER IN THE COMMISSION OF A VIOLATION OF THIS SECTION; OR
- (V) ABETS ANOTHER IN THE COMMISSION OF A VIOLATION OF THIS SECTION.

(2) A PERSON IS GUILTY OF A VIOLATION OF THIS SECTION IF THE PERSON INTENTIONALLY:

- (I) INDUCES ANOTHER TO COMMIT A VIOLATION OF THIS SECTION;
- (II) CAUSES ANOTHER TO COMMIT A VIOLATION OF THIS SECTION;
- (III) COERCES ANOTHER TO COMMIT A VIOLATION OF THIS SECTION;
- (IV) PERMITS ANOTHER TO COMMIT A VIOLATION OF THIS SECTION; OR
- (V) DIRECTS ANOTHER TO COMMIT A VIOLATION OF THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 177 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 188 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 162)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #11

Senate Bill 191 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics, State Commission on)

AN ACT concerning

State Ethics Commission – Electronic Filing Under Oath or Affirmation – Electronic Signature

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 163)

The Bill was then sent to the House of Delegates.

Senate Bill 192 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Maryland Health Insurance Plan – Application of Insurance Fraud Law

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 164)

The Bill was then sent to the House of Delegates.

Senate Bill 200 – Senators Dyson and Middleton

AN ACT concerning

Commission to Study Southern Maryland Transportation Needs

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 165)

The Bill was then sent to the House of Delegates.

Senate Bill 324 – Senator Forehand (Chair, Joint Committee on Federal Relations)

AN ACT concerning

Washington Metropolitan Area Transit Commission – Appointment of Virginia Member

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 166)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 167)

ADJOURNMENT

At 10:47 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 14, 2008.

**Annapolis, Maryland
Thursday, February 14, 2008
10:00 A.M. Session**

The Senate met at 10:15 A.M.

Prayer by Father Charles R. Holder, St. Luke's Episcopal Church, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 13, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Dyson be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 169)

INTRODUCTION OF BILLS

Senate Bill 873 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hammond–Harwood House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of Hammond–Harwood House Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 874 – Senator Muse

AN ACT concerning

**Condominiums and Homeowners Associations – Foreclosures – Imposition of
and Liability for Liens**

FOR the purpose of providing that a grantee that obtains title to a condominium unit in a foreclosure sale is jointly and severally liable with the unit owner for a certain portion of a lien imposed for condominium assessments due under certain circumstances; providing that a lot owner is liable for all homeowners association assessments and charges due under certain circumstances; authorizing the governing body of a homeowners association to impose a lien to enforce the payment of homeowners association assessments and charges under certain circumstances; providing that a grantee that obtains title to a lot in a homeowners association in a foreclosure sale is jointly and severally liable with the lot owner for a certain portion of a lien imposed for homeowners association assessments and charges due under certain circumstances; altering the scope of the Maryland Contract Lien Act; making stylistic changes; and generally relating to the imposition of and liability for liens in condominiums and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–110(c) and (d) and 14–201(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

BY adding to
Article – Real Property
Section 11B–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 875 – Senator Edwards

AN ACT concerning

Real Property – Payment of Interest After Foreclosure Sale – Garrett County

FOR the purpose of providing that, in Garrett County, the interest provided in a mortgage or note secured by a deed of trust is payable for a certain period of time following a foreclosure sale or until the audit of the sale is ratified, whichever occurs first; and generally relating to when the interest provided in a

mortgage or note secured by a deed of trust is payable after a foreclosure sale in Garrett County.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 876 – Senator Jones

AN ACT concerning

Baltimore City – The Saratoga Center Loan of 2001

FOR the purpose of amending the Baltimore City – The Saratoga Center Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by June 1, 2010.

BY repealing and reenacting, with amendments,
Chapter 728 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 877 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Youth Sports Program Facility

FOR the purpose of authorizing the creation of a State Debt in the amount of \$405,000, the proceeds to be used as a grant to the Board of Directors of the Youth Sports Program, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 878 – Senators Glassman and Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Property – Sundays

FOR the purpose of removing Harford County from the list of counties in which deer hunting on private property on certain Sundays is prohibited; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume)

(As enacted by Chapter 361 of the Acts of the General Assembly of 2006)

Read the first time and referred to the Committee on Rules.

Senate Bill 879 – Senators Brinkley and Mooney

AN ACT concerning

Creation of a State Debt – Frederick County – Montevue Home

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the Community Foundation of Frederick County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 880 – Senators Brinkley and Mooney

AN ACT concerning

Creation of a State Debt – Frederick County – Agriculture and Education Complex

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Supervisors of the Frederick Soil Conservation District and the Board of Supervisors of the Catoctin Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantees provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

**Senate Executive Nominations Committee
Report #3
February 14, 2008**

Court of Special Appeals

1. Alexander Wright, Jr., Esquire

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 28, 2008

2. Robert A. Zarnoch, Esquire

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 28, 2008

Arts Council, Maryland State

3. David W. Harp
309 Glenburn Avenue
Cambridge, MD 21613

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2007

Community Health Resources Commission, Maryland

4. Stanley A. Goldman, Ph.D
21 Inverin Circle
Timonium, MD 21093

Substitute Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

5. Paula B. McClellan
4533 Doncaster Drive
Ellicott City, MD 21043

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

6. Douglas H. Wilson, Ph.D
28131 Pathfinder Court
Salisbury, MD 21801

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

7. John L. Young, M.D.
10410 Willowbrook Drive
Potomac, MD 20854

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

Economic Development Corporation Board of Directors, Maryland

8. Jennifer R. Terrasa
7491 Setting Sun Way
Columbia, MD 21043

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2006

Fire-Rescue Education and Training Commission

9. Robert P. Cumberland, Jr.
222 Shipley Avenue
Westminster, MD 21157

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2007

10. Lynn D. Gilroy
1008 Martin Drive
La Plata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2006

Heritage Areas Authority, Maryland

11. Wayne E. Clark
3649 5th Street
North Beach, MD 20714

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from June 30, 2008

12. Deborah L. Dodson
5513 Cedar Grove Road
East New Market, MD 21601

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006

13. Anne M. Fligsten, Esquire
1337 Kinloch Circle
Arnold, MD 21012

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006

Higher Education Commission, Maryland

14. Anwer Hasan
6548 Ballymore Lane
Clarksville, MD 21029

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2005

15. Leronia A. Josey, Esquire
3700 Lochearn Drive
Baltimore, MD 21207

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2007

16. Joshua Michael
9967 Timberknoll Lane
Ellicott City, MD 21042

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2007

17. Nhora B. Murphy
3212 Flushing Meadow Terrace
Chevy Chase, MD 20815

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2007

18. Chung K. Pak
226 Grange Hall Drive
Gaithersburg, MD 20877

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2003

Human Relations Commission

19. Thomas E. Owen
459 Grasmere Lane
Aberdeen, MD 21001

Member of the Human Relations Commission; reappointed to serve remainder of a term of six years from July 1, 2007

20. Shawn M. Wright, Esquire
302 Tamarack Court
Upper Marlboro, MD 20774

Member of the Human Relations Commission; appointed to serve remainder of a term of six years from July 1, 2007

Legal Services Corporation Board of Directors

21. Nancy A. Sachitano, Esquire
4550 Montgomery Avenue, Suite 900N
Bethesda, MD 20814

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve remainder of a term of three years from July 1, 2007

22. Douglas S. Snyder, Ph.D
12113 Round Tree Lane
Bowie, MD 20715

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve remainder of a term of three years from July 1, 2007

Men's Health, Maryland Commission for

23. Nicholas N. Azinge, M.D.
12406 Spring Ridge Court
Laurel, MD 20708

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

24. Arik V. Marcell, M.D.
2946 Wyman Parkway
Baltimore, MD 21211

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

25. Sankineni J. Rao, M.D.
5629 Sugarbush Lane
Rockville, MD 20852

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

26. Richard S. Safeer, M.D.
79 Beecham Court
Owings Mills, MD 21117

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

Morgan State University Board of Regents

27. Sally C. McMillan
1511 Near Thicker Lane
Stevenson, MD 21153

Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2007

Morticians, State Board of

28. Lauri A. Cebula-Seaboch
5915 Benton Heights Avenue
Baltimore, MD 21206

Member of the State Board of Morticians; appointed to serve remainder of a term of four years from July 1, 2007

29. Hari P. Close, II
5126 Belair Road
Baltimore, MD 21206

Member of the State Board of Morticians; appointed to serve remainder of a term of four years from July 1, 2006

30. Marshall W. Jones, Jr.
1727 North Broadway
Baltimore, MD 21213

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2006

31. Gladys A. Sewell
205 Tobacco Ridge Road
Prince Frederick, MD 20678

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2007

32. Vernon L. Strayhorn, Sr.
110 Bunker Hill Lane
Odenton, MD 21113

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2006

Open Meetings Law Compliance Board, State

33. Elizabeth L. Nilson
3925 Canterbury Road
Baltimore, MD 21218

Member of the State Open Meetings Law Compliance Board; appointed to serve remainder of a term of three years from July 1, 2006

Physicians, State Board of

34. Richard C. Bittner, Esquire
1627 Concordia Drive
Pasadena, MD 21122

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2006

35. Laura E. Henderson, M.D.
1303 Lindsay Lane
Hagerstown, MD 21742

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2007

36. Hilary T. O'Herlihy, M.D.
5 St. Andrews Crossover
Severna Park, MD 21146

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2006

Prevailing Wage Rates, Advisory Council on

37. James L. Correll
10 Timber Run Court
Reisterstown, MD 21136

Member of the Advisory Council on Prevailing Wage Rates; reappointed to serve remainder of a term of three years from July 1, 2007

38. Michael C. A. McPherson
11090 Swansfield Road
Columbia, MD 21044

Member of the Advisory Council on Prevailing Wage Rates; reappointed to serve remainder of a term of three years from July 1, 2005

Retirement and Pension Systems, Board of Trustees for the Maryland State

39. Harold Zirkin
6419 Shadow Road
Chevy Chase, MD 20815

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve remainder of a term of four years from July 1, 2007

Technology Development Corporation Board of Directors, Maryland

40. Charles J. Morton, Jr., Esquire
300 Cedarcroft Road
Baltimore, MD 21212

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2004

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Community Health Resources Commission, Maryland

S-1. Yvette J. Benjamin
108 Pembroke View Lane
Gaithersburg, MD 20877

Member of the Maryland Community Health Resources Commission;
reappointed to serve a term of two years from the first Monday in May, 2007

S-2. Judith L. Boyer-Patrick, M.D.
9493 Good Lion Road
Columbia, MD 21045

Member of the Maryland Community Health Resources Commission;
reappointed to serve a term of two years from the first Monday in May, 2007

S-3. Kendall D. Hunter
8220 Coach Street
Potomac, MD 20854

Member of the Maryland Community Health Resources Commission;
reappointed to serve a term of two years from the first Monday in May, 2007

S-4. John A. Hurson, Esquire
3221 Farmington Drive
Chevy Chase, MD 20815

Member of the Maryland Community Health Resources Commission;
reappointed to serve a term of two years from the first Monday in May, 2007

S-5. Leon Kaplan
13033 Jerome Jay Drive
Cockeysville, MD 21030

Member of the Maryland Community Health Resources Commission;
reappointed to serve a term of two years from the first Monday in May, 2007

S-6. Karla R. Roskos
8608 Wandering Fox Trail #201
Odenton, MD 21113

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

Morticians, State Board of

S-7. Michael D. Kruger
15 Durkee Farm Road
Reisterstown, MD 21136

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2007

Physicians, State Board of

S-8. Evelyn T. Beasley
4315 Groveland Avenue
Baltimore, MD 21215

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

S-9. Habib A. Bhutta, M.D.
3008 Brownstone Court
Burtonsville, MD 20866

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

S-10. Robert G. Hennessy, M.D.
738 Chapel Ridge Road
Lutherville, MD 21093

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

S-11. George Melville Williams, M.D.
826 Mill Creek Road
Arnold, MD 21012

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 15, 2008.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 96 – Senators Pugh, Conway, Currie, Della, Forehand, Gladden, Klausmeier, Madaleno, McFadden, Peters, and Stone

AN ACT concerning

Education – Truancy Rates – Positive Behavioral Interventions and Support Programs and Behavior Modification Programs

SB0096/694030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 96
(First Reading File Bill)

On page 1, in line 8, after “circumstances;” insert “clarifying language;”.

On page 2, in line 16, strike “behavioral” and substitute “**BEHAVIOR**”; strike beginning with “AN” in line 28 down through “EFFECTIVE” in line 29 and substitute “**A**”; and in line 30, strike “**UNDER SUBSECTION (C) OF THIS SECTION**”.

On page 3, in line 23, strike “AN ALTERNATIVE” and substitute “**A**”; in line 24, strike “**BEHAVIORAL**” and substitute “**BEHAVIOR**”; and strike beginning with “**UNDER**” in line 24 down through “**SECTION**” in line 25.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 141 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Higher Education
Commission)**

AN ACT concerning

Maryland Graduate and Professional Scholarship Program – Qualifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Higher Education
Commission)**

AN ACT concerning

**Higher Education – Tuition Reduction for Nonresident Nursing Students –
Service Obligation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 183 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Prince George’s County Board of Education – Repeal of Requirement for a
Comprehensive Review**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 187 - Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Higher Education Commission)

AN ACT concerning

Institutions of Postsecondary Education - Certificate of Approval

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #1

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 601 - The President (By Request - Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 620 - The President (By Request - Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #2

CONSENT CALENDAR #1

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 796 – Senators Astle and Pipkin

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Motor Vehicle Accident Reports – Access

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 797 – Senators Astle and Kittleman

AN ACT concerning

**Labor and Employment – Wage Payment on Termination of Employment –
Accrued Leave**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 799 – Senators Exum, Garagiola, and Gladden

AN ACT concerning

Family Investment Program Recipients – Child-Specific Benefit – Repeal

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 800 – Senator Pipkin

AN ACT concerning

**Creation of a State Debt – Cecil County – Mount Harmon Plantation
Education and Discovery Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 801 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Kent County – Prince Theatre

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 802 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Hospice Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 803 – Senators Robey, DeGrange, and Peters

AN ACT concerning

**Law Enforcement Officers’ Pension System – Membership – Retired Pilots
with the Maryland State Police**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 805 – Senator Rosapepe

AN ACT concerning

**Creation of a State Debt - Prince George's County - Laurel Armory Anderson
Murphy Community Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following
Bill be re-referred to the Committee on Finance:

Senate Bill 806 - Senator Simonaire

AN ACT concerning

Critical Infrastructure Protection Task Force

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following
Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 807 - Senator Currie

AN ACT concerning

**Prince George's County - Kettering Largo Boys & Girls Club Storage Facility
Loan of 2001**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following
Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 808 - Senator Currie

AN ACT concerning

**Creation of a State Debt - Prince George's County - District Heights
Commercial Area Facade and Infrastructure Improvement Program**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following
Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 809 - Senators Currie and Exum

AN ACT concerning

Creation of a State Debt – Prince George’s County – Suitland Technology Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 810 – Senator Pipkin

AN ACT concerning

Transportation – Maryland Emergency Medical System Operations Fund – Transport by Privately Owned Helicopter

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 812 – Senator Currie

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County – New Revival Center of Renewal

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 813 – Senator Pipkin

AN ACT concerning

Education – Scholarship Program for Children with a Disability

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 815 – Senators Exum and Kelley

AN ACT concerning

Health Care Facilities – Individuals with Mental Disorders – Patient Rights

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 817 – Senators Conway, Colburn, Della, Garagiola, Lenett, and Pugh

AN ACT concerning

Maryland Individual Tax Preparers Act

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 818 – Senators Middleton, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Forehand, Garagiola, Glassman, Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Simonaire

AN ACT concerning

Public Health Dental Hygiene Act

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 820 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Mansfield Kaseman Health Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 821 – Senators McFadden, Astle, Dyson, Exum, Gladden, Muse, Pugh, and Rosapepe

AN ACT concerning

Maryland Youth Entrepreneur Connection Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 822 – Carroll County Senators

AN ACT concerning

Carroll County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 823 – Carroll County Senators

AN ACT concerning

Carroll County – Green Building Tax Credit

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 824 – Senator Conway

AN ACT concerning

Education – Alcohol and Drug Testing for Pupils in Public or Private Schools

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 825 – Senator Conway

AN ACT concerning

**Credit Regulation – Terms Relating to Prepayment Charges and Penalties
and Class Actions**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 826 – Senator Conway

AN ACT concerning

HIV Testing – Informed Consent and Treatment – Pregnant Women

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 827 – Senator Conway

AN ACT concerning

Commercial Law – Prepayment Charges – Actions

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 828 – Senator Conway

AN ACT concerning

**Department of Health and Mental Hygiene - Birth Defects
Research - Medical Information**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 829 - Senators Stone, Brochin, and Klausmeier

AN ACT concerning

**Baltimore County - Smoking Ban - Exception for Open-Air Structures with
Temporary Covering**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 830 - Senator Della

AN ACT concerning

**Creation of a State Debt - Baltimore City - Sports Legends Museum at
Camden Yards**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 831 - Senator Colburn

AN ACT concerning

Environment - Bay Restoration Fund - Authorized Uses of Fund

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 832 - Senator Gladden

AN ACT concerning

Creation of a State Debt - Baltimore City - Gaudenzia at Park Heights

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 833 - Senator Gladden

AN ACT concerning

Baltimore City - Ivy Family Support Center Loan of 2001

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 834 - Senator Klausmeier

AN ACT concerning

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors -
Criminal Background Checks**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 835 - Senators Currie, Exum, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

**Creation of a State Debt - Prince George's County - Deamonte Driver Mobile
Dental Unit**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 836 – Senator Exum

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Capitol Heights
Municipal Building**

The bill was re-referred to the Committee on Budget and Taxation.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 170)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #12**Senate Bill 12 – Senator McFadden**

AN ACT concerning

**Income Tax – Subtraction Modification – United States Coast Guard
Auxiliary – Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 171)

The Bill was then sent to the House of Delegates.

**Senate Bill 117 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Kelley,
~~and Klausmeier~~ Klausmeier, and Zirkin**

AN ACT concerning

Baltimore County – State’s Attorney – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 172)

The Bill was then sent to the House of Delegates.

Senate Bill 120 – Senator Astle

AN ACT concerning

**Anne Arundel County and City of Annapolis – Fire and Explosive
Investigations – Deputy Fire Marshal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 173)

The Bill was then sent to the House of Delegates.

**Senate Bill 190 – Chair, Education, Health, and Environmental Affairs
Committee (By Request – Departmental – Ethics, State Commission on)**

AN ACT concerning

Ethics – Financial Disclosure – Electronic Filing

Senator Conway moved, duly seconded, to recommit the Bill.

The motion was adopted by a roll call vote as follows:

Affirmative – 42 Negative – 3 (See Roll Call No. 174)

**Senate Bill 195 – Chair, Budget and Taxation Committee (By Request –
Departmental – Baltimore City Community College) and Senator
McFadden**

AN ACT concerning

**Law Enforcement Officers’ Pension System – Baltimore City Community
College – Police Officers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 175)

The Bill was then sent to the House of Delegates.

**Senate Bill 300 – Chair, Budget and Taxation Committee (By Request –
Departmental – Transportation) and Senators Currie, Brinkley,
DeGrange, Edwards, Jones, Kasemeyer, King, Kramer, Madaleno,
McFadden, Munson, Peters, Robey, Stoltzfus, and Zirkin**

AN ACT concerning

Motor Vehicle Excise Tax - Exemption for Returning Military Members

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 176)

The Bill was then sent to the House of Delegates.

Senate Bill 308 - Senator Pinsky

AN ACT concerning

**Town of Berwyn Heights Employees - Participation in the Employees'
Pension System**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 177)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 178)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 179)

ADJOURNMENT

At 10:44 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 15, 2008.

**Annapolis, Maryland
Friday, February 15, 2008
11:00 A.M. Session**

The Senate met at 11:15 A.M.

Prayer by The Reverend Franklin Lance, Mt. Lebanon Baptist Church, guest of Senator Pugh.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 14, 2008 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Kelley be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 182)

INTRODUCTION OF BILLS

Senate Bill 881 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Allegany County – Allegany County Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of Western Maryland Station Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 882 – Senator Middleton

AN ACT concerning

Certified Associate Counselor–Alcohol and Drug – Qualifications

FOR the purpose of authorizing the State Board of Professional Counselors and Therapists to waive a certain requirement that an applicant for a certificate to practice as an associate counselor–alcohol and drug complete a certain number of hours of supervised experience in alcohol and drug counseling after the award of a bachelor’s degree if the applicant has obtained certain experience approved by the Board; and generally relating to qualifications for certified associate counselors–alcohol and drug.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–302.4

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 883 – Senator Stone

AN ACT concerning

Voluntary Cleanup Program – Enforcement and Oversight – Requirements

FOR the purpose of requiring a certain description of a proposed voluntary cleanup project to include project start and end dates; requiring the Department of the Environment to schedule and hold a certain public informational meeting on an application to participate in a certain voluntary cleanup program within a certain period of time; requiring a certain notice to include the date of a certain public informational meeting; requiring the Department to conduct regular inspections of a certain site to ensure that the participant is implementing the approved response action plan and that the response action plan is achieving the cleanup criteria; requiring the Department to take any enforcement action necessary to ensure the clean up of the eligible property; and generally relating to requirements of the Voluntary Cleanup Program.

BY repealing and reenacting, with amendments,

Article – Environment

Section 7–506 and 7–512

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

BY adding to

Article – Environment

Section 7–510.1

Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 884 – Senators Garagiola and McFadden

AN ACT concerning

**Health Occupations – Complementary Alternative Medicine Health Care
Providers – Scope of Practice**

FOR the purpose of providing that the provisions of the Maryland Medical Practice Act do not prohibit certain individuals from administering certain treatments or providing certain advice to other individuals if the individuals administering the treatment or providing the advice do not act in a certain manner; requiring the individual to whom the treatment or advice is provided to sign a certain declaration of informed consent that includes certain information; and generally relating to the scope of practice for complementary alternative medicine health care providers.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–102
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 885 – Senators Madaleno, Forehand, Garagiola, Jones, King, and
Lenett**

AN ACT concerning

The Jane E. Lawton Loan Program

FOR the purpose of establishing the Jane E. Lawton Conservation Loan Program; establishing the Jane E. Lawton Conservation Fund to finance the Program; consolidating certain programs administered by the Maryland Energy Administration into the Program; consolidating certain funds into the Fund; providing for the management and composition of the Fund; providing the powers and duties of the Administration with respect to the Program; providing that entities seeking loans under the Program comply with certain application procedures; establishing the purposes for which loans made under the Program may be used; providing that borrowers that receive loans under the Program must document that the anticipated energy cost savings over a defined period after the completion of the project funded by the loan are greater than the cost

of the project; providing for repayment of the loans; authorizing the Administration to enter into contracts with third parties to make, service, or sell loans under this Act; prohibiting false statements to be made in applications for loans and providing certain penalties for entities that violate the prohibition; defining certain terms; providing that certain assets, liabilities, and obligations of the programs subject to repeal by this Act shall remain the assets, liabilities, and obligations of the fund established by this Act; and generally relating to the Jane E. Lawton Conservation Loan Program and Conservation Fund.

BY repealing

Article – State Government

Section 9–20A–01 through 9–20A–09 and the subtitle “Subtitle 20A. Energy Efficiency and Economic Development Loan Program”; and 9–2101 through 9–2109 and the subtitle “Subtitle 21. Community Energy Loan Program”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

BY adding to

Article – State Government

Section 9–20A–01 through 9–20A–09 to be under the new subtitle “Subtitle 20A. Jane E. Lawton Conservation Loan Program”

Annotated Code of Maryland

(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 886 – Senators Klausmeier, Conway, Exum, Gladden, Madaleno, McFadden, Pinsky, Raskin, and Stone

AN ACT concerning

State Personnel – Collective Bargaining – Procedures

FOR the purpose of clarifying the application of certain provisions of law relating to the failure to comply with certain orders of the State Labor Relations Board and the State Higher Education Labor Relations Board; altering certain dates by which certain actions relating to certain collective bargaining negotiations must be taken; clarifying that certain fact finders must make certain written recommendations to certain representatives; providing that a certain memorandum of understanding is valid for more than a certain number of years under certain circumstances; providing that certain matters of agreement in a memorandum of understanding are not valid for more than a certain number of years; providing that a certain memorandum of understanding is not effective until it is ratified by a certain exclusive representative; defining a certain term; and generally relating to collective bargaining for State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–101, 3–209, 3–2A–09, 3–501(c), and 3–601
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 3–501(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 887 – Senators Currie, Exum, and Peters

AN ACT concerning

Creation of a State Debt – Capital Area Food Bank

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Capital Area Food Bank, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

**Senate Executive Nominations Committee
Report #3
February 14, 2008**

Court of Special Appeals

1. Alexander Wright, Jr., Esquire

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 28, 2008

2. Robert A. Zarnoch, Esquire

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 28, 2008

Arts Council, Maryland State

3. David W. Harp
309 Glenburn Avenue
Cambridge, MD 21613

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2007

Community Health Resources Commission, Maryland

4. Stanley A. Goldman, Ph.D.
21 Inverin Circle
Timonium, MD 21093

Substitute Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

5. Paula B. McClellan
4533 Doncaster Drive
Ellicott City, MD 21043

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

6. Douglas H. Wilson, Ph.D.
28131 Pathfinder Court
Salisbury, MD 21801

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

7. John L. Young, M.D.
10410 Willowbrook Drive
Potomac, MD 20854

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term of two years from the first Monday in May, 2007

Economic Development Corporation Board of Directors, Maryland

8. Jennifer R. Terrasa
7491 Setting Sun Way
Columbia, MD 21043

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2006

Fire-Rescue Education and Training Commission

9. Robert P. Cumberland, Jr.
222 Shipley Avenue
Westminster, MD 21157

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2007

10. Lynn D. Gilroy
1008 Martin Drive
La Plata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2006

Heritage Areas Authority, Maryland

11. Wayne E. Clark
3649 5th Street
North Beach, MD 20714

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from June 30, 2008

12. Deborah L. Dodson
5513 Cedar Grove Road
East New Market, MD 21601

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006

13. Anne M. Fligsten, Esquire
1337 Kinloch Circle
Arnold, MD 21012

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006

Higher Education Commission, Maryland

14. Anwer Hasan
6548 Ballymore Lane
Clarksville, MD 21029

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2005

15. Leronia A. Josey, Esquire
3700 Lochearn Drive
Baltimore, MD 21207

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2007

16. Joshua Michael
9967 Timberknoll Lane
Ellicott City, MD 21042

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2007

17. Nhora B. Murphy
3212 Flushing Meadow Terrace
Chevy Chase, MD 20815

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2007

18. Chung K. Pak
226 Grange Hall Drive
Gaithersburg, MD 20877

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2003

Human Relations Commission

19. Thomas E. Owen
459 Grasmere Lane
Aberdeen, MD 21001

Member of the Human Relations Commission; reappointed to serve remainder of a term of six years from July 1, 2007

20. Shawn M. Wright, Esquire
302 Tamarack Court
Upper Marlboro, MD 20774

Member of the Human Relations Commission; appointed to serve remainder of a term of six years from July 1, 2007

Legal Services Corporation Board of Directors

21. Nancy A. Sachitano, Esquire
4550 Montgomery Avenue, Suite 900N
Bethesda, MD 20814

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve remainder of a term of three years from July 1, 2007

22. Douglas S. Snyder, Ph.D
12113 Round Tree Lane
Bowie, MD 20715

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve remainder of a term of three years from July 1, 2007

Men's Health, Maryland Commission for

23. Nicholas N. Azinge, M.D.
12406 Spring Ridge Court
Laurel, MD 20708

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

24. Arik V. Marcell, M.D.
2946 Wyman Parkway
Baltimore, MD 21211

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

25. Sankineni J. Rao, M.D.
5629 Sugarbush Lane
Rockville, MD 20852

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

26. Richard S. Safeer, M.D.
79 Beecham Court
Owings Mills, MD 21117

Member of the Maryland Commission for Men's Health; appointed to serve a term to expire September 30, 2010

Morgan State University Board of Regents

27. Sally C. McMillan
1511 Near Thicker Lane
Stevenson, MD 21153

Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2007

Morticians, State Board of

28. Lauri A. Cebula-Seaboch
5915 Benton Heights Avenue
Baltimore, MD 21206

Member of the State Board of Morticians; appointed to serve remainder of a term of four years from July 1, 2007

29. Hari P. Close, II
5126 Belair Road
Baltimore, MD 21206

Member of the State Board of Morticians; appointed to serve remainder of a term of four years from July 1, 2006

30. Marshall W. Jones, Jr.
1727 North Broadway
Baltimore, MD 21213

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2006

31. Gladys A. Sewell
205 Tobacco Ridge Road
Prince Frederick, MD 20678

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2007

32. Vernon L. Strayhorn, Sr.
110 Bunker Hill Lane
Odenton, MD 21113

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2006

Open Meetings Law Compliance Board, State

33. Elizabeth L. Nilson
3925 Canterbury Road
Baltimore, MD 21218

Member of the State Open Meetings Law Compliance Board; appointed to serve remainder of a term of three years from July 1, 2006

Physicians, State Board of

34. Richard C. Bittner, Esquire
1627 Concordia Drive
Pasadena, MD 21122

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2006

35. Laura E. Henderson, M.D.
1303 Lindsay Lane
Hagerstown, MD 21742

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2007

36. Hilary T. O'Herlihy, M.D.
5 St. Andrews Crossover
Severna Park, MD 21146

Member of the State Board of Physicians; appointed to serve remainder of a term of four years from July 1, 2006

Prevailing Wage Rates, Advisory Council on

37. James L. Correll
10 Timber Run Court
Reisterstown, MD 21136

Member of the Advisory Council on Prevailing Wage Rates; reappointed to serve remainder of a term of three years from July 1, 2007

38. Michael C. A. McPherson
11090 Swansfield Road
Columbia, MD 21044

Member of the Advisory Council on Prevailing Wage Rates; reappointed to serve remainder of a term of three years from July 1, 2005

Retirement and Pension Systems, Board of Trustees for the Maryland State

39. Harold Zirkin
6419 Shadow Road
Chevy Chase, MD 20815

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve remainder of a term of four years from July 1, 2007

Technology Development Corporation Board of Directors, Maryland

40. Charles J. Morton, Jr., Esquire
300 Cedarcroft Road
Baltimore, MD 21212

Member of the Maryland Technology Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2004

Statewide Nominees

Please Note: Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

Community Health Resources Commission, Maryland

- S-1. Yvette J. Benjamin
108 Pembroke View Lane
Gaithersburg, MD 20877

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

- S-2. Judith L. Boyer-Patrick, M.D.
9493 Good Lion Road
Columbia, MD 21045

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

- S-3. Kendall D. Hunter
8220 Coach Street
Potomac, MD 20854

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

- S-4. John A. Hurson, Esquire
3221 Farmington Drive
Chevy Chase, MD 20815

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

- S-5. Leon Kaplan
13033 Jerome Jay Drive
Cockeysville, MD 21030

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

- S-6. Karla R. Roskos
8608 Wandering Fox Trail #201
Odenton, MD 21113

Member of the Maryland Community Health Resources Commission; reappointed to serve a term of two years from the first Monday in May, 2007

Morticians, State Board of

- S-7. Michael D. Kruger
15 Durkee Farm Road
Reisterstown, MD 21136

Member of the State Board of Morticians; reappointed to serve remainder of a term of four years from July 1, 2007

Physicians, State Board of

- S-8. Evelyn T. Beasley
4315 Groveland Avenue
Baltimore, MD 21215

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

- S-9. Habib A. Bhutta, M.D.
3008 Brownstone Court
Burtonsville, MD 20866

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

S-10. Robert G. Hennessy, M.D.
738 Chapel Ridge Road
Lutherville, MD 21093

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

S-11. George Melville Williams, M.D.
826 Mill Creek Road
Arnold, MD 21012

Member of the State Board of Physicians; reappointed to serve remainder of a term of four years from July 1, 2007

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 183)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2008 Resolutions)

Recipient	Sponsor	Resolution No.
Assistant Attorney General Robert Zarnoch	The President and All Members	280

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 184)

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 15, 2008

The Honorable Thomas V. Mike Miller, Jr.
President
Maryland State Senate

State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, §13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,
Governor

ADMINISTRATIVE HEARINGS, OFFICE OF	
Hon. Thomas E. Dewberry 11101 Gilroy Road Hunt Valley, Maryland 21031 12	Reappointment Chief Administrative Law Judge Term of 6 years from January 1, 2008
AGRICULTURE DEPARTMENT, BOARD OF REVIEW OF THE	
Stephen T. Reeves 2510 Hurry Road P.O. Box 797 Chaptico, Maryland 20621 29	Reappointment General Public Term of 3 years from January 1, 2008
Barbara R. Thompson 43865 Thompson Farm Lane Hollywood, Maryland 20636 29	Reappointment General Public Term of 3 years from January 1, 2008
Jeffrey W. Griffith 5643 Greenock Road Lothian, Maryland 20711 33	Reappointment Knowledge/Experience Term of 3 years from January 1, 2007
AIRPORT ZONING APPEALS, BOARD OF	
Laura L. Barrientos 1714 Sulgrave Avenue Baltimore, Maryland 21209 41	Reappointment At Large Term of 4 years from July 1, 2008

Michael P. Ertel, Sr. 505 West Joppa Road Towson, Maryland 21204 42	Appointment Baltimore County Term of 4 years from July 1, 2006
Philip A. Selden 7040 Wilson Lane Bethesda, Maryland 20817 16	Appointment At Large Term of 4 years from July 1, 2007
Jeffrey Utzinger 1262 Vogt Avenue Baltimore, Maryland 21227 12	Appointment Baltimore County Term of 4 years from July 1, 2008
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
Curtis G. Collins, Sr. 9221 Old Court Road Windsor Mill, Maryland 21244 10	Appointment Consumer Term of 4 years from July 1, 2006
John H. Hunt, Jr. 3242 Sharp Road Glenwood, Maryland 21738 09	Reappointment Consumer Term of 4 years from July 1, 2008
ARTS COUNCIL, MARYLAND STATE	
Susanna Nemes 18303 Wickham Road Olney, Maryland 20832 19	Appointment Member Term of 3 years from July 1, 2008
Nancy Haragan 2901 Boston Street #510 Baltimore, Maryland 21224 46	Appointment Member Term of 3 years from July 1, 2008
Malinda B. Small 1407 Brewer Neck Road Pasadena, Maryland 21122 31	Reappointment Member Term of 3 years from July 1, 2008
AVIATION COMMISSION, MARYLAND	
Calman J. Zamoiski, Jr. 10 East Lee Street Baltimore, Maryland 21202 46	Reappointment Member Term of 3 years from October 1, 2008
Maurice A. Bellan 4450 Cross Country Drive Ellicott City, Maryland 21042 09	Appointment Member Term of 3 years from October 1, 2008

William P. Wentworth 7 Trinity Place Ocean Pines, Maryland 21811 38	Reappointment Member Term of 3 years from October 1, 2008
BOILER RULES, BOARD OF	
Carey M. Dove 1040 Old Woodbine Road Woodbine, Maryland 21797 09	Reappointment Owner/User of Pressure Vessels Term of 4 years from January 1, 2008
Ashwani Kumar Gupta, Ph.D. 9017 51 st Avenue P.O. Box 773 College Park, Maryland 20740 21	Reappointment Mechanical Engineer Term of 4 years from January 1, 2008
Leonard Billian 10751 Falls Road P.O. Box 1387 Brooklandville, Maryland 21022 42	Appointment Engineer with Experience Term of 4 years from January 1, 2008
CHESAPEAKE AND ATLANTIC COASTAL BAYS, CRITICAL AREA COMMISSION FOR THE	
Sadara B. Barrow 4313 Newton Street Colmar Manor, Maryland 20722 47	Appointment Appointed or Elected – Prince George's County Term of 4 years from July 1, 2006
CORRECTIONAL STANDARDS, COMMISSION ON	
Robert Lester Green 10905 Honeyfield Road Williamsport, Maryland 21795 01	Appointment Local Correctional Official Term of 3 years from July 1, 2006
J. Michael Stouffer 13733 Franks Run Road Smithsburg, Maryland 21783 02	Reappointment State Correctional Official Term of 3 years from July 1, 2008
Howard Ray, Jr. 308 Lord Byron Lane Apt. T3 Cockeysville, Maryland 21030 42	Reappointment State Correctional Official Term of 3 years from July 1, 2008
CORRECTIONAL TRAINING COMMISSION	
John R. Dixon 2809 Boston Street, #364 Baltimore, Maryland 21224 46	Reappointment Correctional Official Term of 3 years from July 1, 2008

DIETETIC PRACTICE, STATE BOARD OF	
Paul Edward Araujo, Ph.D. 419 Sanders Street Baltimore, Maryland 21230 46	Reappointment Dietitian/Nutritionist- Faculty Term of 4 years from July 1, 2008
Sharon Bunch 2105 Woodbourne Avenue Baltimore, Maryland 21214 43	Appointment Consumer Term of 4 years from July 1, 2005
Doris F. Henning 606 Meyers Drive Catonsville, Maryland 21228 12	Reappointment Dietitian/Nutritionist- Administrative Term of 4 years from July 1, 2008
Sandra Elizabeth Kick 11 Tenby Court Timonium, Maryland 21093 11	Appointment Consumer Term of 4 years from July 1, 2006
Debra D. Schulze 11303 Country Club Road New Market, Maryland 21774 04	Reappointment Dietitian/Nutritionist- Consulting Term of 4 years from July 1, 2008
DISTRICT COURT OF MARYLAND - DISTRICT 1 - BALTIMORE CITY	
Hon. John R. Hargrove, Sr. 5800 Wabash Avenue Baltimore, Maryland 21215 41	Reappointment Associate Judge Term of 10 years from June 24, 2008
DISTRICT COURT OF MARYLAND - DISTRICT 3 - CAROLINE, CECIL, KENT, QUEEN ANNE'S & TALBOT	
Hon. Stephen James Baker 170 East Main Street Elkton, Maryland 21921 36	Reappointment Associate Judge Term of 10 years from April 4, 2008
DISTRICT COURT OF MARYLAND - DISTRICT 5 - PRINCE GEORGE'S	
Hon. Thurman Haywood Rhodes 14735 Main Street Upper Marlboro, Maryland 20772 27	Reappointment Associate Judge Term of 10 years from May 3, 2008
Hon. Joel David Worshtil 4990 Rhode Island Avenue Hyattsville, Maryland 20781 21	Reappointment Associate Judge Term of 10 years from January 9, 2008
DISTRICT COURT OF MARYLAND - DISTRICT 6 - MONTGOMERY	

Hon. Stephen P. Johnson 27 Courthouse Square Rockville, Maryland 20850 39	Reappointment Associate Judge Term of 10 years from April 9, 2008
DISTRICT COURT OF MARYLAND - DISTRICT 8 - BALTIMORE COUNTY	
Hon. Robert J. Steinberg 120 East Chesapeake Avenue Towson, Maryland 21286 42	Reappointment Associate Judge Term of 10 years from June 2, 2008
ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Walter Allen Tilley III 68 Crystal Court Bel Air, Maryland 21014 35	Appointment Member Term of 3 years from July 1, 2006
Deepak Bansal 17216 Founders Mill Drive Rockville, Maryland 20855 19	Appointment Member Term of 3 years from July 1, 2008
Robert N. Smelkinson 4603 Kerneway Baltimore, Maryland 21212 43	Appointment Member Term of 3 years from July 1, 2007
ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS, MARYLAND	
Barbara G. Buehl 20020 Potomac Overlook Oldtown, Maryland 21555 01	Reappointment Local Government Term of 4 years from July 1, 2008
Leonard R. Sachs 3522 Englemeade Road Baltimore, Maryland 21208 11	Reappointment Industrial Term of 4 years from July 1, 2008
Douglas M. Hoffberger 5602 Waycrest Lane Baltimore, Maryland 21210 41	Appointment Industrial Term of 4 years from July 1, 2007
EDUCATION, STATE BOARD OF	
James H. DeGraffenreidt, Jr., Esquire 406 Cedarcroft Road Baltimore, Maryland 21212 43	Appointment Member Term of 4 years from July 1, 2008
Catherine B. Walsh 19 ½ Saint Timothy's Lane Catonsville, Maryland 21228 12	Appointment Member Term of 4 years from July 1, 2008

Ivan C.A. Walks, M.D. 12408 Bacall Lane Potomac, Maryland 20854 15	Appointment Member Term of 4 years from July 1, 2008
ELECTRICIANS, STATE BOARD OF MASTER	
William O. Jones 3800 Viser Court Bowie, Maryland 20715 23	Reappointment Consumer Term of 3 years from July 1, 2008
Arthur Turner Brown 9275 Bay View Place Nanjemoy, Maryland 20662 28	Reappointment Electrician – Southern Maryland Term of 3 years from July 1, 2008
Peter E. Bowers 4417 Stanford Street Chevy Chase, Maryland 20815 18	Reappointment Electrician – Metro Washington Term of 3 years from July 1, 2008
EMERGENCY NUMBER SYSTEMS BOARD	
William Arthur Frazier 29 Willow Lane La Plata, Maryland 20646 28	Appointment MENA Term of 4 years from July 1, 2006
ENGINEERS, STATE BOARD OF STATIONARY	
Loretta Johnson 3207 Greenmead Road Baltimore, Maryland 21244 10	Reappointment Consumer Term of 3 years from July 1, 2008
Harold E. Norris 21 Stuart Mills Place Baltimore, Maryland 21228 10	Reappointment Consumer Term of 3 years from July 1, 2008
Kevin J. McLeod 20112 Darlington Drive Montgomery Village, Maryland 20886 39	Reappointment Boiler Owner Term of 3 years from July 1, 2008
ENVIRONMENTAL SANITARIAN REGISTRATION, STATE BOARD OF	
Robert W. Sheesley 8354 Chestnut Farm Lane Ellicott City, Maryland 21043 09	Appointment Sanitarian/Private Industry Term of 5 years from July 1, 2004
William E. Peterson, Jr. 32212 Bonhill Drive Salisbury, Maryland 21804 38	Reappointment Sanitarian/MDE Term of 5 years from July 1, 2008

Pamela Engle 914 Dunellen Drive Towson, Maryland 21286 42	Appointment Sanitarian/DHMH Term of 5 years from July 1, 2005
HIGHER EDUCATION COMMISSION, MARYLAND	
Chung K. Pak 226 Grange Hall Drive Gaithersburg, Maryland 20877 17	Reappointment Member Term of 5 years from July 1, 2008
Kevin M. O'Keefe 3 St. Martin's Road Baltimore, Maryland 21218 43	Reappointment Member Term of 5 years from July 1, 2008
HUMAN RELATIONS, COMMISSION ON	
Doris Cowl 24 Tullycross Court Timonium, Maryland 21093 11	Appointment Member Term of 6 years from July 1, 2005
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Margaret C. Berman 7031 Kenleigh Road Baltimore, Maryland 21212 42	Reappointment DHMH/Medicaid Term of 3 years from July 1, 2008
William T. Cohee, Ed.D. 130 Nantucket Drive Middletown, DE 19709 Nonr	Appointment MSDE/Homeless Education Term of 3 years from July 1, 2008
Eileen F. Cohen 37 Hamlet Drive Owings Mills, Maryland 21117 11	Reappointment DHMH Term of 3 years from July 1, 2008
Angelina B. Dickerson, Ph.D. 5242 West Boniwood Turn Clinton, Maryland 20735 27	Appointment DHMH/Mental Health Term of 3 years from July 1, 2008
Veronica D. Land-Davis 1546 Langford Road Baltimore, Maryland 21207 10	Reappointment Provider Term of 3 years from July 1, 2008
Amy L. Nicholas, Ph.D. 1290 E. Sandcroft Court Eldersburg, Maryland 21784 09	Appointment Personnel Preparation Term of 3 years from July 1, 2007

Kelli Piscano-Nelson 761 Sussex Court Eldersburg, Maryland 21784 09	Reappointment Parent Term of 3 years from July 1, 2008
Suzette Scipio-Ettienne, M.D. 10305 Ackerly Terrace Lanham, Maryland 20706 23	Reappointment Parent Term of 3 years from July 1, 2008
Eric Franklin Snyder 810 Hydric Court, Apt. 303 Odenton, Maryland 21113 21	Reappointment Parent Term of 3 years from July 1, 2008
Grace Pushparany Williams 13004 Pine Court Bowie, Maryland 20720 23	Reappointment Parent Term of 3 years from July 1, 2008
INJURED WORKERS' INSURANCE FUND, BOARD FOR THE	
Leonard Schuler, Jr. 3 Old Garrett Court White Hall, Maryland 21161 05	Appointment Member Term of 5 years from June 1, 2007
Kenneth Nwafor 3807 Dunhill Court Bowie, Maryland 20721 23	Appointment Member Term of 5 years from June 1, 2008
JUDICIAL DISABILITIES, COMMISSION ON	
William D. Berkshire 1487 Crofton Parkway Crofton, Maryland 21114 33	Reappointment Public Term of 4 years from January 1, 2008
Hon. Robert A. Greenberg 50 Maryland Avenue Rockville, Maryland 20850 17	Reappointment Judge Term of 4 years from January 1, 2008
Hon. Nancy B. Shuger 5800 Wabash Avenue Baltimore, Maryland 21215 40	Reappointment Judge Term of 4 years from January 1, 2008
LABOR RELATIONS BOARD, STATE	
Homer C. La Rue, Esquire 6122 Triangle Drive Columbia, Maryland 21044 12	Appointment Nominee of Exclusive Representative Term of 6 years from July 1, 2007

Susie C. Jablinske 109 Maple Lane Annapolis, Maryland 21403 30	Appointment Nominee of Exclusive Representative Term of 6 years from July 1, 2006
LAND RECLAMATION COMMITTEE	
Timothy B. Schwinabart 664 Pine Tree Point Road Swanton, Maryland 21561 01	Reappointment Mining Industry Term of 3 years from July 1, 2008
Vaughn R. Miller 813 Tamarack Circle Oakland, Maryland 21550 01	Reappointment Mining Industry Term of 3 years from July 1, 2008
LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF	
Liling T. Tien 1033 Hart Road Towson, Maryland 21286 42	Reappointment Landscape Architect Term of 3 years from July 1, 2008
Jeanette M. Stern-Tansey 301 Cedarcroft Road Baltimore, Maryland 21212 43	Appointment Landscape Architect Term of 3 years from July 1, 2007
Ralph E. Reisler 919 Calvert Road Rising Sun, Maryland 21911 34	Reappointment Consumer Term of 3 years from July 1, 2007
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND	
Teri A. Heger, LCSW-C 20032 Alva Court Keedysville, Maryland 21756 02	Appointment Nonlawyer Term of 3 years from July 1, 2007
LOTTERY COMMISSION, STATE	
George M. Wagner 231 Wicklow Road Ferndale, Maryland 21061 32	Reappointment Member Term of 4 years from January 9, 2008
NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS OF	
Arthur N. Rogers III 712 East Seminary Avenue Towson, Maryland 21286 42	Reappointment Member Term of 4 years from April 22, 2008
OPTOMETRY, STATE BOARD OF EXAMINERS IN	

Kisha Fields Matthews 8227 Township Drive Owings Mills, Maryland 21117 11	Appointment Consumer Term of 3 years from June 1, 2008
PAROLE COMMISSION, MARYLAND	
Thomas Vincent Miller III, Esquire 6502 Horseshoe Road Clinton, Maryland 20735 27	Reappointment Member Term of 6 years from January 1, 2008
PHARMACY, STATE BOARD OF	
Richard W. Matens 2401 Pelham Avenue Baltimore, Maryland 21213 45	Appointment Consumer Term of 4 years from July 1, 2008
PHYSICAL THERAPY EXAMINERS, STATE BOARD OF	
Lois V. Rosedom-Boyd 6760 Real Princess Lane Baltimore, Maryland 21207 10	Reappointment Consumer Term of 4 years from June 1, 2008
PHYSICIANS, STATE BOARD OF	
Rosaire Verna, M.D. 9062 Bozman Road St. Michaels, Maryland 21663 37	Reappointment Physician Term of 4 years from July 1, 2008
PLUMBING, STATE BOARD OF	
Charles J. Morgan, Jr. 1219 Hull Street Baltimore, Maryland 21230 46	Reappointment Plumber - City Term of 3 years from May 1, 2008
Gerard J. Conis 15510 Walnut Ridge Road, SE Oldtown, Maryland 21555 01	Appointment Plumber - Western Maryland Term of 3 years from May 1, 2008
Michael J. Kastner, Jr. 13556 Argo Drive Dayton, Maryland 21036 13	Reappointment Plumber - North/North Central Maryland Term of 3 years from May 1, 2008
PORT COMMISSION, MARYLAND	
Alvin J. Nichols 8105 Felbrigg Hall Road Glenn Dale, Maryland 20769 22	Reappointment Member Term of 3 years from July 1, 2008

Peta N. Richkus 107 A Versailles Circle Towson, Maryland 21204 42	Appointment Member Term of 3 years from July 1, 2008
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Michael Claude A. McPherson 11090 Swansfield Road Columbia, Maryland 21044 12	Reappointment Public Member Term of 3 years from July 1, 2008
PROFESSIONAL ENGINEERS, STATE BOARD FOR	
H.C. Harclerode II One Country Club Lane Phoenix, Maryland 21131 07	Reappointment Chemical Engineer Term of 5 years from July 1, 2008
Eugene Callan Harvey 613 Banyon Avenue Severna Park, Maryland 21146 33	Reappointment Civil Engineer Term of 5 years from July 1, 2008
PSYCHOLOGISTS, STATE BOARD OF	
Warren L. Hobbs 6210 Park Heights Avenue, #904 Baltimore, Maryland 21215 41	Appointment Consumer Term of 4 years from July 1, 2008
PUBLIC SERVICE COMMISSION	
Steven B. Larsen 10111 Parkwood Drive Bethesda, Maryland 20814 18	Reappointment Chair Term of 5 years from July 1, 2008
RACING COMMISSION, STATE	
Charles G. Tildon III 5616 Cross Country Boulevard Baltimore, Maryland 21209 41	Appointment Member Term of 4 years from July 1, 2008
Mary Louise Preis 810 Drohomer Place Baltimore, Maryland 21210 41	Appointment Member Term of 4 years from July 1, 2008
John P. McDaniel 13032 Highland Road Highland, Maryland 20777 13	Reappointment Thoroughbred Racing Term of 4 years from July 1, 2008
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION ON	

John E. Jordan, Jr. 7221 Leonardtown Road Hughesville, Maryland 20637 28	Appointment Home Inspector Remainder of a 3 year term to expire December 31, 2008
SEAFOOD MARKETING ADVISORY COMMISSION	
Joseph N. Brooks 1202 Hambrooke Boulevard Cambridge, Maryland 21613 37	Reappointment Seafood Packer – Chesapeake Bay Seafood Industries Association Term of 4 years from July 1, 2008
Cynthia W. Paul 3278 Golden Hill Road Church Creek, Maryland 21622 37	Reappointment Seafood Packer Term of 4 years from July 1, 2008
Thomas R. Zinn 12925 Spring Cove Road Lusby, Maryland 20657 29	Appointment Waterman Term of 4 years from July 1, 2006

SOCIAL WORK EXAMINERS, STATE BOARD OF	
Daniel L. Buccino 2109 Kentucky Avenue Baltimore, Maryland 21218 43	Reappointment Licensed Social Work Associate Term of 4 years from July 1, 2008
Lillye McNeill Dumas-Wells 3662 Forest Hill Road Baltimore, Maryland 21207 10	Appointment Consumer Term of 4 years from July 1, 2008
Annie D. Peak 9909 Old Indian Head Road Upper Marlboro, Maryland 20772 27	Appointment Licensed Graduate Social Worker Term of 4 years from July 1, 2008
STADIUM AUTHORITY, MARYLAND	
John Morton III 10 Waveland Farm Annapolis, Maryland 21409 30	Appointment Member Term of 4 years from July 1, 2008
Thomas B. Corey 9500 Sidebrook Road Owings Mills, Maryland 21117 11	Reappointment Member - Appointed by Mayor Term of 4 years from July 1, 2008
TECHNOLOGY DEVELOPMENT CORPORATION (TEDCO) BOARD OF DIRECTORS, MARYLAND	

Paula L. Jagemann 4703 Briggswood Court Frederick, Maryland 21703 03	Appointment Tech-Based Business Remainder of a 4 year term to expire June 30, 2008 and a term of 4 years from July 1, 2008
Charles J. Morton, Jr. 300 Cedarcroft Road Baltimore, Maryland 21212 43	Reappointment General Public Term of 4 years from July 1, 2008
TOURISM DEVELOPMENT BOARD, MARYLAND	
William O. Ripken 900 Mount Soma Court Fallston, Maryland 21047 35	Reappointment Attractions Term of 3 years from July 1, 2008
Greg Shockley 10148 Queen's Circle Ocean City, Maryland 21842 38	Appointment Food Service Term of 3 years from July 1, 2008
Christopher Schardt 2918 Hudson Street Baltimore, Maryland 21224 46	Appointment Retail Term of 3 years from July 1, 2008
Helene M. Maher 6187 Kara's Walk Elkridge, Maryland 21075 13	Reappointment Transportation Term of 3 years from July 1, 2008
Deborah L. Dodson 5513 Cedar Grove Road East New Market, Maryland 21631 37	Reappointment Direct Marketing Organization Term of 3 years from July 1, 2008
TRANSPORTATION AUTHORITY, MARYLAND	
Mary Beyer Halsey 207 Smith Road Rising Sun, Maryland 21911 34	Appointment Member Term of 4 years from July 1, 2007
Michael J. Whitson 28264 Old Village Road Mechanicsville, Maryland 20659 29	Reappointment Member Term of 4 years from July 1, 2008
Rev. Dr. William C. Calhoun, Sr. 932 North Central Avenue Baltimore, Maryland 21202 41	Reappointment Member Term of 4 years from July 1, 2008

Isaac H. Marks, Sr., Esquire 9255 Three Oaks Drive Silver Spring, Maryland 20901 20	Reappointment Member Term of 4 years from July 1, 2008
UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS	
Norman Augustine 9826 Sorrel Road Potomac, Maryland 20854 15	Appointment Member Term of 5 years from July 1, 2008
Frank M. Reid III, Ph.D. 8950 Harkate Way Randallstown, Maryland 21133 11	Appointment Member Term of 5 years from July 1, 2008
VENTURE CAPITAL TRUST BOARD OF TRUSTEES, MARYLAND	
Robert W. Schaefer 5903 Meadowood Road Baltimore, Maryland 21212 43	Reappointment Participating Investor Term of 4 years from July 1, 2008
VETERANS HOME COMMISSION, MARYLAND	
Major Andrew H. Anderson 29995 Bolingbroke Lane Trappe, Maryland 21673 37	Reappointment Member Term of 5 years from July 1, 2008
Robert M. Johnson 10580 La Plata Road P.O. Box 1967 La Plata, Maryland 20646 28	Reappointment Member Term of 5 years from July 1, 2008
Toni Rae King 12401 Rockledge Drive Bowie, Maryland 20715 23	Reappointment Member Term of 5 years from July 1, 2008
WELL DRILLERS, STATE BOARD OF	
Travis E. Sterner 8726 Reynolds Mill Road Seven Valleys, Pennsylvania 17360 Nonr	Reappointment MDE Term of 2 years from July 1, 2008
Darlene Vivian Wells 17433 Wesley Chapel Road Monkton, Maryland 21111 05	Reappointment DNR Term of 2 years from July 1, 2008
Hahns S. Hairston 625 Jasper Street Baltimore, Maryland 21201 44	Reappointment Public Member Term of 2 years from July 1, 2008

John T. Shannahan, Sr. 5 Talbot Street P.O. Box 730 Easton, Maryland 21663 37	Reappointment Well Driller - Eastern Maryland Term of 2 years from July 1, 2008
C. Wayne Caswell 3515 North Furnace Road Jarrettsville, Maryland 21084 35	Reappointment Well Driller - Central Maryland Term of 2 years from July 1, 2008
David B. Hartman 307 Woodshadows Court Millersville, Maryland 21118 33	Reappointment Well Driller - Southern Maryland Term of 2 years from July 1, 2008
Larry Dale Brenneman 312 Main Street Extended Accident, Maryland 21520 01	Reappointment Well Driller - Western Maryland Term of 2 years from July 1, 2008
WOMEN, MARYLAND COMMISSION FOR	
Melissa Techentin 1601 Dundalk Avenue Baltimore, Maryland 21222 46	Appointment Member Term of 4 years from July 1, 2005
Hon. Helen L. Holton 830 North Chapelgate Lane Baltimore, Maryland 21229 41	Appointment Member Term of 4 years from July 1, 2006
Erum Malik 3886 Whitebrook Lane Ellicott City, Maryland 21042 07	Appointment Member Remainder of a 4 year term to expire July 1, 2008 and a term of 4 years from July 2, 2008
Hon. Classie Gillis Hoyle 2089 Forest Drive Annapolis, Maryland 21401 30	Appointment Member Term of 4 years from July 1, 2006
Rabbi Elissa Sachs-Kohen 900 Adana Road Pikesville, Maryland 21208 11	Appointment Member Term of 4 years from July 1, 2007
Katherine A. Perez 14438 Old Stage Road Bowie, Maryland 20720 23	Appointment Member Term of 4 years from July 1, 2007
WORKERS' COMPENSATION COMMISSION, ADVISORY COMMITTEE ON THE BUDGET OF THE	

Michael G. Comeau 3509 Glen Oak Drive Jarrettsville, Maryland 21084 35	Appointment Member Term of 3 years from July 1, 2007
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Joy Peters 19013 Queens Cross Lane Germantown, Maryland 20876 39	Reappointment Camp Owner/Manager – Nonprofit Term of 3 years from July 1, 2008
Linda E. Mouzon 6945 Scarlet Oak Drive Elkridge, Maryland 21075 13	Appointment Camp Owner/Manager Term of 3 years from July 1, 2008

ALLEGANY COLLEGE OF MARYLAND BOARD OF TRUSTEES	
Joyce K. Lapp 11800 Knob Road Cumberland, Maryland 21502 01	Reappointment Member Term of 6 years from July 1, 2008
John J. McMullen, Jr., Esquire 818 Buckingham Road Cumberland, Maryland 21502 01	Reappointment Member Term of 6 years from July 1, 2007
ANNE ARUNDEL COMMUNITY COLLEGE BOARD OF TRUSTEES	
Rev. Diane Renee Dixon Proctor 127 Fox Trap Drive Glen Burnie, Maryland 21061 32	Appointment Member Term of 6 years from July 1, 2008
Jerome W. Klasmeier 1077 Overcrest Drive Crownsville, Maryland 21032 33	Appointment Member Term of 6 years from July 1, 2006
Bushra Raza 616 219 th Street Pasadena, Maryland 21122 31	Appointment Student Member Term of 1 year from July 1, 2008
BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR	
Charles E. Kountz, Jr., Esquire 4367 Hollins Ferry Road Suite 2C Baltimore, Maryland 21227 12	Reappointment 1 st Councilmanic District Term of 5 years from July 1, 2008

Linda C. Goldberg 7917 Stevenson Road Baltimore, Maryland 21208 11	Reappointment 2 nd Councilmanic District Term of 5 years from July 1, 2008
Cecile V. Myrick 1326 Gooseneck Road Baltimore, Maryland 21220 07	Reappointment 6 th Councilmanic District Term of 5 years from July 1, 2007
Richard W. McJilton 7260 Meadow Lane Baltimore, Maryland 21222 06	Reappointment 7 th Councilmanic District Term of 5 years from July 1, 2007
CECIL COMMUNITY COLLEGE BOARD OF TRUSTEES	
S. Dell Foxx 19 Hammer Drive North East, Maryland 21901 34	Reappointment Member Term of 6 years from July 1, 2008
HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES	
Austin S. Abraham 11800 Indian Lane Hagerstown, Maryland 21742 02	Appointment Member Term of 6 years from July 1, 2008
HOWARD COMMUNITY COLLEGE BOARD OF TRUSTEES	
Roberta E. Dillow 10610 High Beam Court Columbia, Maryland 21044 12	Reappointment Member Term of 6 years from July 1, 2008
MONTGOMERY COLLEGE BOARD OF TRUSTEES	
Jong-on Hahm, Ph.D. 11733 Ambleside Drive Potomac, Maryland 20854 15	Reappointment Member Term of 6 years from July 1, 2008
PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS	
Theresa Bournes Roebuck 6601 Oak Street Cheverly, Maryland 20785 47	Appointment Regular Member Term of 4 years from June 4, 2007
Lester W. Jones 11605 Hickory Drive Fort Washington, Maryland 20744 26	Appointment Substitute Member Term of 4 years from June 4, 2007

PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS	
Franklin D. Jackson, Esquire 12610 Pleasant Prospect Mitchellville, Maryland 20721 23	Reappointment Democrat Term of 3 years from June 1, 2008
Armando Camacho 6403 McCahill Drive Laurel, Maryland 20707 21	Reappointment Republican Term of 3 years from July 1, 2008
SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF	
Dorothea Holt Smith 3365 Forest Road Waldorf, Maryland 20601 28	Reappointment Member Term of 5 years from July 1, 2008
Austin Joseph Slater, Jr. 23073 Silk Oak Way California, Maryland 20619 29	Appointment Member Term of 5 years from July 1, 2008
ST. MARY'S COLLEGE OF MARYLAND BOARD OF TRUSTEES	
Hon. Steny H. Hoyer U.S. House of Representatives 1705 Longworth House Office Building Washington, DC 20515 29	Reappointment Member Term of 6 years from June 1, 2007
Patrick P. Hervy 14 Wendover Road Baltimore, Maryland 21218 42	Reappointment Member Term of 6 years from June 1, 2007
Arthur Birney, Jr. 848 Coach Way Annapolis, Maryland 21401 33	Appointment Member Term of 6 years from June 1, 2003
C. Richard D'Amato 6 East Lake Drive Annapolis, Maryland 21403 33	Appointment Member Term of 6 years from June 1, 2007

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 185)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #13

Senate Bill 1 - Senator Lenett

AN ACT concerning

Maryland ~~Legislative~~ Youth Advisory Council

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 186)

The Bill was then sent to the House of Delegates.

**Senate Bill 61 - Senators Kelley, Della, Exum, Garagiola, Klausmeier,
Middleton, and Pugh**

AN ACT concerning

Commission to Study the Title Insurance Industry in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 187)

The Bill was then sent to the House of Delegates.

Senate Bill 63 - Harford County Senators

AN ACT concerning

Harford County - Alcoholic Beverages - Cafe License

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 188)

The Bill was then sent to the House of Delegates.

Senate Bill 176 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Motor Fuel – Use of Dyed Diesel Fuel – Violations

Senator Stoltzfus moved, duly seconded, to place **Senate Bill 176** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0176/823225/1

BY: Senator Stoltzfus

AMENDMENT TO SENATE BILL 176

(Bill as Printed for Third Reading)

On page 3, in line 2, after “ACCESSORY” insert “, INTENTIONALLY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 177 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Accrual and Carryover of Annual Leave

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 189)

The Bill was then sent to the House of Delegates.

Senate Bill 184 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Family Law – Child Care Centers – Emergency Suspensions

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 190)

The Bill was then sent to the House of Delegates.

Senate Bill 188 – Chair, Finance Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Comptroller – Cigarette Business Licenses – Grounds for Disciplinary Action

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 191)

The Bill was then sent to the House of Delegates.

Senate Bill 193 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Social Services Administration – Definition

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 192)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 193)

ADJOURNMENT

At 11:38 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 18, 2008.