Journal *of* Proceedings

of the

House of Delegates
of
Maryland

2009 Regular Session

Volume I

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

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Mary Monahan
Chief Clerk

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Annapolis, Maryland
Wednesday, January 14, 2009
Twelve Noon

STATE OF MARYLAND, To Wit:

This being the day prescribed by Section 14 of Article III of the Constitution for the convening of the General Assembly of Maryland at 12:00 Noon.

Mary Monahan, Chief Clerk of the House of Delegates for the 2009 Session, called the House to order and led the Pledge of Allegiance to the Flag.

Prayer was offered by Delegate Mary Ann Love of Anne Arundel County.

EXCUSES:
Del. G. Clagett – illness – back problems
Del. Davis – doctor's appointment
Del. Elliott – wife's illness
Del. Weir – out of town

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 2)

Members having recorded their presence, the Chief Clerk announced that a majority of all members being present, the House was ready, under the provisions of the Constitution, to proceed with business.

The Chief Clerk called for nominations for the office of Speaker Pro Tem of the House of Delegates for the Regular Session of the Maryland General Assembly.

Delegate Nathan–Pulliam of Baltimore County nominated Delegate Adrienne A. Jones of Baltimore County for the office of Speaker Pro Tem.

Delegate Bromwell of Baltimore County seconded the nomination.

Delegate Burns of Baltimore County moved that the nominations be closed.

Delegate Bohanan of St. Mary's County seconded the motion.

The Chief Clerk put the question: All in favor of Delegate Adrienne A. Jones for the Office of Speaker Pro Tem signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Chief Clerk requested that Delegate Barve of Montgomery County and Delegate Branch of Baltimore City escort the Speaker Pro Tem-elect to the Rostrum.

The Chief Clerk administered the oath of office to Delegate Adrienne A. Jones of Baltimore County.

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM, NOW PRESIDING

The Speaker Pro Tem introduced the distinguished guests joining us today.

The Speaker Pro Tem called for nominations for the office of Speaker of the House of Delegates.

Delegate Barve of Montgomery County placed the name of Delegate Michael E. Busch of Anne Arundel County in nomination for the office of Speaker of the House.

Delegate Hecht of Frederick County seconded the nomination.

Delegate Feldman of Montgomery County moved the nominations be closed.

Delegate Kirk of Baltimore City seconded the motion.

The Speaker Pro Tem put the question: All in favor of Delegate Michael E. Busch for the Office of Speaker signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Speaker Pro Tem requested that Delegate Love and Delegate V. Clagett of Anne Arundel County escort the Speaker-elect to the Rostrum.

The Speaker Pro Tem Jones administered the oath of office to Delegate Busch, Speaker-elect of the House.

SPEAKER OF THE HOUSE MICHAEL E. BUSCH, NOW PRESIDING

The Speaker addressed the House.

Remarks by Lt. Governor Anthony G. Brown

Remarks by Governor Martin O'Malley

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 3)

ORDER

JANUARY 14, 2009

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE FOLLOWING DESK OFFICERS ARE HEREBY APPOINTED TO SERVE THE HOUSE OF DELEGATES DURING THIS REGULAR LEGISLATIVE SESSION OF 2009:

ASSISTANT CHIEF CLERK	COLLEEN CASSIDY
ASSISTANT JOURNAL CLERK	ANITA S. BAVIS
PROCEEDINGS CLERK	CINDI OLSZEWSKI
READING CLERK	C. RHOADES WHITEHILL

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 14, 2009

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE CHIEF CLERK OF THE HOUSE IS MARY MONAHAN, PURSUANT TO THE PROVISIONS OF SECTIONS 103 AND 105 OF THE RULES OF THE MARYLAND HOUSE OF DELEGATES.

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE JOURNAL CLERK OF THE HOUSE IS SYLVIA SIEGERT, PURSUANT TO THE

PROVISIONS OF SECTIONS 104 AND 105 OF THE RULES OF THE MARYLAND HOUSE OF DELEGATES.

Read and adopted.

ORDER

JANUARY 14, 2009

RESOLVED, THAT THE COMMITTEES APPOINTED BY THE SPEAKER DURING THE REGULAR SESSION OF 2008 ARE HEREBY CONTINUED TO SERVE DURING THIS REGULAR SESSION OF 2009, AND BE IT FURTHER ORDERED THAT THE SPEAKER IS HEREBY AUTHORIZED AND EMPOWERED TO FILL ANY VACANCIES THAT MAY EXIST IN SAID COMMITTEES BY REASON OF DEATH, RESIGNATION OR ANY OTHER MANNER.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 14, 2009

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE MONIES APPROPRIATED FOR THE EXPENSES OF THIS REGULAR SESSION OF 2009 AS SET FORTH IN THE APPROPRIATIONS BILL, BE PAID UPON JOINT ORDER OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 14, 2009

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE SPEAKER OF THE HOUSE SHALL APPOINT THE EMPLOYEES NECESSARY FOR THE PROPER TRANSACTION OF THE BUSINESS OF THE REGULAR SESSION OF 2009, AS PROVIDED FOR IN THE BUDGET. THIS ORDER TO REMAIN IN EFFECT UNTIL CHANGED OR MODIFIED BY THE HOUSE OF DELEGATES OF MARYLAND.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 14, 2009

BY THE SPEAKER OF THE HOUSE:

RESOLVED, THAT THE HONORABLE KUMAR P. BARVE OF MONTGOMERY COUNTY BE APPOINTED AS MAJORITY FLOOR LEADER;

THAT THE HONORABLE DAN K. MORHAIM OF BALTIMORE COUNTY BE APPOINTED DEPUTY MAJORITY LEADER;

THAT THE HONORABLE JAMES W. HUBBARD OF PRINCE GEORGE'S COUNTY BE APPOINTED AS ASSISTANT MAJORITY FLOOR LEADER;

THAT THE HONORABLE TALMADGE BRANCH OF BALTIMORE CITY BE APPOINTED AS MAJORITY WHIP;

THAT THE HONORABLE CAROLYN J. B. HOWARD OF PRINCE GEORGE'S COUNTY BE APPOINTED DEPUTY SPEAKER PRO TEM;

AND THAT THE HONORABLE KATHLEEN M. DUMAIS OF MONTGOMERY COUNTY BE APPOINTED PARLIAMENTARIAN.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 14, 2009

RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED CHIEF DEPUTY MAJORITY WHIPS:

The Hon. Sue Kullen
The Hon. Justin D. Ross

RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED DEPUTY MAJORITY WHIPS:

The Hon. William A. Bronrott
The Hon. Keith E. Haynes
The Hon. Marvin E. Holmes, Jr.
The Hon. Sally Jameson
The Hon. Anne R. Kaiser
The Hon. Susan C. Lee
The Hon. Shirley Nathan–Pulliam
The Hon. Doyle L. Niemann
The Hon. Victor R. Ramirez
The Hon. Michael L. Vaughn

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 14, 2009

RESOLVED, THAT THE CHAIRMEN AND VICE-CHAIRMEN OF THE STANDING COMMITTEES WITHIN THE HOUSE OF DELEGATES BE:

APPROPRIATIONS:
CHAIRMAN HON. NORMAN H. CONWAY OF THE EASTERN SHORE
VICE-CHMN. HON. JAMES E. PROCTOR, JR. OF PRINCE GEORGE'S COUNTY

ECONOMIC MATTERS:
CHAIRMAN HON. DERECK E. DAVIS OF PRINCE GEORGE'S COUNTY
VICE-CHMN. HON. DAVID D. RUDOLPH OF CECIL COUNTY

ENVIRONMENTAL MATTERS:

CHAIRMAN HON. MAGGIE McINTOSH OF BALTIMORE CITY
VICE-CHMN. HON. JAMES E. MALONE, JR. OF BALTIMORE COUNTY

HEALTH AND GOVERNMENT OPERATIONS:
CHAIRMAN HON. PETER A. HAMMEN OF BALTIMORE CITY
VICE–CHMN. HON. SHANE E. PENDERGRASS OF HOWARD COUNTY

JUDICIARY:
CHAIRMAN HON. JOSEPH F. VALLARIO, JR. OF PRINCE GEORGE'S COUNTY
VICE-CHMN. HON. SAMUEL I. ROSENBERG OF BALTIMORE CITY

WAYS & MEANS:
CHAIRMAN HON. SHEILA E. HIXSON OF MONTGOMERY COUNTY
VICE-CHMN. HON. ANN MARIE DOORY OF BALTIMORE CITY

RULES & EXECUTIVE NOMINATIONS:
CHAIRMAN HON. HATTIE N. HARRISON OF BALTIMORE CITY
VICE-CHMN. HON. RUDOLPH C. CANE OF THE EASTERN SHORE

COMMITTEE ON PROTOCOL:
CHAIRMAN HON. JOANNE C. BENSON OF PRINCE GEORGE'S COUNTY

CONSENT CALENDAR:
CHAIRMAN HON. KUMAR P. BARVE OF MONTGOMERY COUNTY

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 14, 2009

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE RULES OF THE HOUSE OF DELEGATES IN EFFECT AT THE END OF THE REGULAR SESSION OF 2008 BE ADOPTED FOR THE REGULAR SESSION OF 2009.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

MESSAGE TO THE SENATE

January 14, 2009

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, 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 adopted.

MESSAGE FROM THE SENATE

January 14, 2009

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 Kittleman.

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

By Order,
William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

VETOED HOUSE BILLS – 2008

VETOED HOUSE BILLS AND MESSAGES – 2008 REGULAR SESSION

(See Exhibit A of Appendix II)

The Messages from the Governor were read and ordered journalized.

The Speaker put the question: Shall all of the following bills pass, notwithstanding the objection of the Governor?

HB 90 sustained (0–137)
HB 241 sustained (0–137)
HB 314 sustained (0–137)
HB 318 sustained (0–137)
HB 437 sustained (0–137)
HB 442 sustained (0–137)
HB 472 sustained (0–137)
HB 483 sustained (0–137)
HB 501 sustained (0–137)
HB 545 sustained (0–137)
HB 588 sustained (0–137)
HB 728 sustained (0–137)
HB 915 sustained (0–137)
HB 1555 sustained (0–137)

The vetoes were sustained by roll call vote as follows:

Affirmative - 0 Negative - 137 (See Roll Call No. 4)

INTRODUCTION OF BILLS

House Bill 1 – Delegate Manno

AN ACT concerning

Disability Insurance – Discrimination Based on Genetic Information or Tests – Prohibited

FOR the purpose of repealing an exemption for disability insurance policies from the scope of certain provisions of law governing the use of certain genetic tests and the use and disclosure of certain genetic information or the results of certain

genetic tests by certain health insurance carriers in connection with health insurance policies and contracts; altering a certain definition; and generally relating to genetic tests, genetic information, and disability insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 1–101(a) and (p)(1) and (2)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–909
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 2 – Delegate Manno

AN ACT concerning

Life Insurance and Annuities – Genetic Tests, Information, and Services – Prohibited Acts

FOR the purpose of prohibiting an insurer from requesting or requiring a genetic test or from using a genetic test, the results of a genetic test, genetic information, or a request for genetic services to take certain actions with regard to life insurance coverage or benefits under an annuity contract; providing for a certain exception; defining certain terms; and generally relating to prohibited acts relating to genetic tests, genetic information, and genetic services with regard to life insurance and annuities.

BY adding to
Article – Insurance
Section 27–223
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 3 – Delegate Levy

AN ACT concerning

Election Law – Access to Voting Room and Voting Booth by Minors Not Eligible to Vote

FOR the purpose of increasing the maximum age at which a minor may accompany a voter in the voting room and voting booth at a polling place under certain circumstances; and generally relating to access to the voting room and voting booth by minors at the polling place.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–308 and 10–310(c)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 4 – Delegate Manno

AN ACT concerning

Small Business Health Insurance Stimulus Act

FOR the purpose of altering the subsidy requirements for small employers and the employees of small employers under the Small Employer Health Benefit Plan Premium Subsidy Program; altering the eligibility requirements for small employers under the Program; and generally relating to requirements under the Small Employer Health Benefit Plan Premium Subsidy Program.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–12A–01(a) and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–12A–02 and 15–12A–03
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 5 – Delegate Cardin

AN ACT concerning

State Government – Operation of State Building Cooling Systems

FOR the purpose of requiring that certain State building cooling systems be regulated to maintain an inside air temperature that is no colder than a certain minimum temperature when the cooling system is in operation; requiring that certain State building cooling systems, during certain periods on certain level 1 and level 2 load reduction days, be regulated to maintain inside air temperatures that are no colder than certain minimum temperatures when the cooling system is in operation; requiring the Maryland Energy Administration to adopt regulations on or before a certain date to establish procedures and criteria for designating level 1 and level 2 load reduction days; providing that the regulations may not become effective before a certain date; requiring the Department of General Services, after each fiscal year, to calculate certain savings in energy costs realized by the State as a result of certain load reduction measures; requiring the Department of General Services to submit a certain report regarding certain savings in energy costs to the Governor and General Assembly on or before a certain date each year; requiring the Governor to make a General Fund appropriation of a certain amount to a certain fund for each fiscal year, beginning with a certain fiscal year; altering the definitions of level 1 and level 2 load reduction days to authorize the Maryland Energy Administration to designate level 1 and level 2 load reduction days; providing for a delayed effective date for certain provisions of this Act; defining certain terms; and generally relating to the operation of cooling systems in State buildings.

BY adding to
Article – State Government
Section 10–1301 through 10–1305 to be under the new subtitle "Subtitle 13. Operation of Building Cooling Systems"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–1301
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Economic Matters and the Committee on Health and Government Operations.

House Bill 6 – Delegate Ali

AN ACT concerning

Malfunctioning Traffic Light Act

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 under certain circumstances; and generally relating to malfunctioning traffic control signals.

BY adding to
Article – Transportation
Section 21–202(m)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–202(m)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–209
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 7 – Delegates Norman and Riley

AN ACT concerning

State Government – Flags – Made in USA

FOR the purpose of requiring a flag of the United States or a State flag to be manufactured in the United States under certain circumstances; clarifying a certain term; and generally relating to flags on State property.

BY adding to
Article – State Government
Section 13–206
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 8 – Delegates Haddaway and Eckardt

AN ACT concerning

Criminal Law – Salvia Divinorum – Controlled Dangerous Substances

FOR the purpose of establishing that a material, compound, mixture, or preparation that contains Salvia divinorum is a Schedule I controlled dangerous substance.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–402(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–402(d)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 9 – Delegates Waldstreicher and McComas

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalties

FOR the purpose of 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; 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 under certain circumstances; 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 2008 Supplement)

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

House Bill 10 – Delegate Manno

AN ACT concerning

Oil Sands Responsibility Act

FOR the purpose of prohibiting the State from using motor fuel produced from unconventional sources of oil to fuel State vehicles; defining certain terms; and generally relating to unconventional sources of oil and State vehicles.

BY adding to
Article – State Finance and Procurement
Section 14–409
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 11 – Delegate Manno

AN ACT concerning

Insurance – Violation of Genetic Nondiscrimination Laws – Private Cause of Action

FOR the purpose of authorizing an individual who is injured by an insurer's violation of certain provisions of law that prohibit discrimination based on genetic tests, the results of genetic tests, or genetic information to recover certain equitable relief, monetary damages, court costs, and attorney's fees in an action brought in a court of competent jurisdiction; and generally relating to remedies for violations of genetic nondiscrimination laws.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–202(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 12 – Delegate Manno

AN ACT concerning

Genetic Privacy – Individual's Genetic Information – Personal Property Rights

FOR the purpose of prohibiting a person from knowingly collecting, analyzing, or retaining a DNA sample from an individual, performing a DNA analysis, or

retaining or disclosing the results of a DNA analysis, or disclosing the results of a DNA analysis without certain written informed consent; exempting the collection and analysis of DNA samples for certain purposes from the prohibition; providing that the DNA sample and the results of the DNA analysis are the exclusive property of the individual from whom the sample is collected; authorizing the Department of Health and Mental Hygiene to adopt regulations to establish a uniform written informed consent form; providing that a certain person is exempt from certain liability; allowing an individual to revoke or amend a certain informed consent; establishing penalties for a violation of this Act; authorizing an individual to bring a civil action against a certain person under certain circumstances; providing that a person is liable for certain damages and reasonable attorney fees under certain circumstances; defining certain terms; and generally relating to genetic privacy.

BY adding to
Article – Criminal Law
Section 3–1001 through 3–1005 to be under the new subtitle "Subtitle 10. Genetic Privacy"
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 13 – Delegate Manno

AN ACT concerning

Workplace Religious Freedom Act

FOR the purpose of authorizing employees of certain employers to use certain leave for observance of religious beliefs under certain circumstances; establishing that an employer is not required to pay certain premium wages or benefits under certain circumstances; providing that an employee who uses leave under this Act must comply with the terms of a collective bargaining agreement or employment policy; providing that an employer may require an employee without paid leave to use leave without pay or work a certain number of hours; providing for a certain exemption under certain circumstances; establishing certain criteria for determining a certain hardship; 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; authorizing an employee to take certain civil action against an employer in a certain manner for a violation of this Act; authorizing a court to allow certain costs against an employer for a certain recovery in a certain action; prohibiting an employee from making certain groundless or malicious complaints or from taking certain actions in bad faith; authorizing the Commissioner of Labor and Industry to conduct a certain investigation; defining certain terms; providing for the

application of this Act; and generally relating to the Workplace Religious Freedom Act.

BY repealing and reenacting, without amendments,
Article 49B – Human Relations Commission
Section 16(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–101(b), 3–704(b)(2) and (3), (c), and (f), and 3–802(a)(1) and (2)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–102 and 3–103
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 3–803
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 14 – Delegate Hubbard

AN ACT concerning

Environment – Brominated Flame Retardants – Decabrominated Diphenyl Ether – Prohibition

FOR the purpose of prohibiting, on or after a certain date, the manufacturing, processing, selling, or distributing of certain products that contain a certain amount of decabrominated diphenyl ether; providing that the prohibition does not apply to certain processing of certain recyclables, certain manufacturer replacement service parts or other products, certain vehicles, or certain products, parts, or replacement parts for use in certain vehicles; defining a certain term; providing for a delayed effective date; and generally relating to the use of brominated flame retardants.

BY repealing and reenacting, with amendments,
Article – Environment

Section 6–1201 and 6–1202
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 15 – Delegate Hubbard

AN ACT concerning

Child Care Articles and Toys Containing Bisphenol–A – Prohibition

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain toys or child care articles containing bisphenol–A; requiring a person to use the least toxic alternative; prohibiting a person from using certain carcinogens or certain reproductive toxicants when complying with a certain provision of this Act; providing for a certain penalty; defining certain terms; and generally relating to certain toys and child care articles containing bisphenol–A.

BY adding to
Article – Health – General
Section 24–304
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 16 – Delegate Manno

AN ACT concerning

Labor and Employment – Shift Breaks

FOR the purpose of requiring an employer to provide a certain nonworking or working shift break to an employee under certain circumstances; requiring that a certain shift break count towards an employee's work hours for a certain day; requiring an employer to pay a certain amount to an employee under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; authorizing a court to award certain attorney's fees and costs under certain circumstances; providing for certain exceptions; authorizing the Commissioner of Labor and Industry to exempt, by regulation, certain employers from the provisions of this Act; providing for the application of this Act; defining a certain term; and generally relating to shift breaks for employees.

BY adding to

Article – Labor and Employment
Section 3–710
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 17 – Delegates Haddaway, Eckardt, Smigiel, Sossi, and Walkup

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Legislative Districting – Resident Delegates by County

FOR the purpose of amending the Maryland Constitution to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county; 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 4

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 18 – Delegate Bronrott

AN ACT concerning

Creation of a State Debt – Montgomery County – National Center for Children and Families Youth Activities 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 National Center for Children and Families, 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 Appropriations.

House Bill 19 – Delegate Frick

AN ACT concerning

Municipal Corporations and Taxing Districts – Financial Audits

FOR the purpose of altering the maximum annual revenues a municipal corporation or taxing district created by the State may have for purposes of eligibility under a certain exception to a requirement that a municipal corporation taxing district created by the State be audited at least once each fiscal year; altering certain threshold amounts of annual expenditures for purposes of certain audit and reporting requirements for certain special taxing districts; and generally relating to certain audit and reporting requirements for municipal corporations and taxing districts.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 40
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

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

House Bill 20 – Delegate Sophocleus

AN ACT concerning

Intellectual Disability (Rosa's Law)

FOR the purpose of changing references to mental retardation to an intellectual disability; changing references to a mentally retarded individual to an individual with an intellectual disability; renaming State residential centers for the mentally retarded to be State residential centers for individuals with an intellectual disability; renaming an intermediate care facility for the mentally retarded (ICF–MR) to be an intermediate care facility for individuals with an intellectual disability (ICF–ID); altering certain definitions; defining certain terms; deleting certain obsolete references; making certain stylistic changes; requiring the publisher of the Annotated Code to make certain corrective changes; providing that certain documents may not be used until the use of certain other documents; providing for the intent of this Act; and generally relating to changing references to mental retardation to an intellectual disability.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–401(a)(2) and 13–303(l)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 13–101(l)
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–101(f) and 14–103
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–101(c)(1), (k), and (p), 7–204(a) and (c), 7–501, 7–502, 7–503(e)(1), 7–505, 7–507(f), (g), and (j), 7–508, 7–512(a), 7–515, 7–516, 7–517, 7–803, 7–909(d), 10–101(f), 10–514(d), 10–620(e), 15–805(b), 16–101(b), 16–201(a), 16–402, 16–404, 16–405, 16–407, and 19–201(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 7–101(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health – General
Section 7–101(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–420(d)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10–309(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–117 and 22–412.1

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 21 – Delegate Olszewski

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition

FOR the purpose of exempting certain fantasy competitions from gaming prohibitions; defining a certain term; and generally relating to fantasy competitions.

BY adding to
Article – Criminal Law
Section 12–114
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 22 – Delegate G. Clagett

AN ACT concerning

Child Support Enforcement – Interception of Abandoned Property

FOR the purpose of adding certain abandoned property to certain provisions of law requiring the State Comptroller to withhold the amount of certain child support arrearages from certain payments due to certain obligors and to forward the amount withheld to the Child Support Enforcement Administration; and generally relating to collection of child support arrearages.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–113.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 23 – Delegate Kullen

EMERGENCY BILL

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 of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing that this Act applies to certain automotive dismantlers and scrap metal processors; providing for the applicability of the record keeping requirements; providing for the form and content of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; authorizing certain law enforcement units to issue certain waivers under certain circumstances; 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; 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 State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 24 – Delegate Krysiak

AN ACT concerning

Individual Tax Preparers – Registration Requirements

FOR the purpose of eliminating certain fees that are required to reinstate registration as an individual tax preparer; clarifying a certain qualification for a certain waiver of a certain examination requirement; and generally relating to registration requirements for individual tax preparers.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 21–310
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 623 of the Acts of the General Assembly of 2008
Section 6

Read the first time and referred to the Committee on Economic Matters.

House Bill 25 – Delegate Olszewski

AN ACT concerning

Vehicle Laws – Motor Scooters – Prohibited Roads for Operation

FOR the purpose of altering the posted maximum speed limit for a roadway above which a person is prohibited from operating a motor scooter on the roadway; making certain stylistic changes; and generally relating to the operation of motor scooters on roadways.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1205.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 26 – Delegate Kullen

AN ACT concerning

Public Schools – Children with Anaphylactic Allergies – Reduction of Risk

FOR the purpose of requiring principals of public schools that have children attending the schools who have been identified as having certain allergies to take certain actions to reduce certain risks; requiring school principals to monitor certain files; requiring the monitoring of certain individualized health plans; authorizing public schools to revoke the authority of certain children to

self–administer certain medications; granting certain immunity to certain individuals under certain circumstances; authorizing local county boards of education to require parents or guardians to sign certain statements; defining certain terms; and generally relating to the reduction of risk to the health of children with anaphylactic allergies in public schools.

BY adding to
Article – Education
Section 7–426.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 27 – Delegate Frush

AN ACT concerning

Transportation – Intercounty Connector – Elimination of Funding

FOR the purpose of requiring the Governor to include a certain appropriation to the Transportation Trust Fund under certain circumstances; limiting the cumulative amount of certain appropriations to the Transportation Trust Fund; providing that a certain appropriation to the Revenue Stabilization Account under a certain provision of law is not required except under certain circumstances; altering the amount of a certain appropriation under certain circumstances; prohibiting the Department of Transportation and the Maryland Transportation Authority from financing the Intercounty Connector or expending any funds for the Intercounty Connector; repealing certain provisions of law concerning the financing of the Intercounty Connector, including a certain statement of legislative intent regarding the authority of the Authority to implement certain cash flow changes for financing the Intercounty Connector; requiring the Authority to retire certain bonds secured by a pledge of future federal aid in a certain manner; and generally relating to the financing of the Intercounty Connector.

BY adding to
Article – Transportation
Section 3–216(g)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 567 of the Acts of the General Assembly of 2008
Section 3

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

House Bill 28 – Delegate Sossi

AN ACT concerning

Maryland Transportation Authority – Closure of Transportation Facility

FOR the purpose of prohibiting the Secretary of Transportation from closing to the public all or part of a transportation facility of the Maryland Transportation Authority without prior approval from the Authority unless the Secretary provides a certain certification to the Governor and provides certain notice and information to the public; requiring the Secretary to provide notice of a proposed closure of a transportation facility to certain members of the General Assembly and allow the members to participate in the deliberations concerning the closure; providing an exception concerning the Secretary's authority to close a transportation facility under certain circumstances; and generally relating to the closure of certain transportation facilities of the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–202 and 4–205(f) and (g)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–401
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 29 – Delegate Sossi

AN ACT concerning

Task Force to Study Traffic Accident Clearance Procedures

FOR the purpose of establishing a Task Force to Study Traffic Accident Clearance Procedures; providing for the membership and duties of the Task Force;

providing for the staffing of the Task Force; requiring the Governor to appoint the chair 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 Task Force to Study Traffic Accident Clearance Procedures.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 30 – Delegates Bobo and Manno

AN ACT concerning

Health – Terminal Condition – Counseling

FOR the purpose of requiring certain health care providers to provide certain information and counseling about terminal condition care options to certain patients with a terminal condition under certain circumstances; requiring certain terminal condition care counseling to include certain information; authorizing terminal condition care counseling to occur over a certain period of time; authorizing certain referrals for terminal condition care counseling under certain circumstances; requiring certain health care providers to make a certain referral and provide a patient with certain information under certain circumstances; defining certain terms; and generally relating to providing terminal condition care counseling to patients with a terminal condition.

BY adding to
Article – Health – General
Section 5–901 through 5–903 to be under the new subtitle "Subtitle 9. Terminal Condition Care Counseling"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 31 – Delegate Taylor

AN ACT concerning

Income Tax – Subtraction Modification – Creation of a Minority Business Enterprise

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain income from certain sales that result in the creation of certain minority business enterprises; providing for the recapture of a certain

subtraction modification under certain circumstances; providing a certain addition modification under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain sales that result in the creation of certain minority business enterprises.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a), 10–207(a), 10–306(a), and 10–307(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–306(b) and 10–307(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–205(k) and 10–207(y)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 32 – Delegate Kullen

AN ACT concerning

Health Insurance – Limitations on Preexisting Condition Provisions – Applicability

FOR the purpose of expanding the applicability of certain provisions of law that limit the imposition of certain preexisting condition provisions by certain carriers to a policy or certificate issued to an individual in accordance with certain provisions of law; altering a certain definition; providing for the application of this Act; and generally relating to preexisting condition limitations.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–508
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 33 – Delegates Holmes and Hubbard

AN ACT concerning

Program Open Space – Municipal Corporations – Development Project Funds

FOR the purpose of authorizing a municipal corporation to use up to a certain percentage of its future annual apportionment funds from Program Open Space for development projects provided that up to a specified percentage of those funds may be used for capital renewal; and generally relating to the use of Program Open Space development project funds by municipal corporations.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–905(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–905(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 34 – Delegate Cardin

AN ACT concerning

Environment – Impervious Surface – Statewide Database

FOR the purpose of requiring the Department of the Environment, in consultation with the Department of Planning, to develop and maintain a database of impervious surface in the State; requiring a county to report the amount of its impervious surface to the Department of the Environment in a certain manner; authorizing the Department of the Environment to adopt certain regulations; defining a certain term; and generally relating to impervious surface in the State.

BY adding to
Article – Environment
Section 9–1623
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 35 – Delegate Serafini

AN ACT concerning

Criminal Law – Buying of Minors – Prohibition

FOR the purpose of prohibiting a person from buying or offering to buy a minor for money, property, or anything else of value; establishing that certain penalties apply to a violation of this Act; establishing that a person who violates this Act is subject to a provision of law that authorizes the State to institute a prosecution for the offense at any time and, for purposes of the Maryland Constitution, that deems the person to have committed an offense the punishment for which is confinement in the penitentiary, and who may reserve a point or question for a certain in banc review; and generally relating to the crime of buying a minor.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–603
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 36 – Delegates Haddaway and Eckardt

AN ACT concerning

Vehicle Laws – Reduction of Speed Limits by Local Authorities – Engineering and Traffic Investigations

FOR the purpose of authorizing a county, municipality, or other public body that has the authority to enact laws and adopt local police regulations relating to traffic to decrease a certain maximum speed limit in a business district or a residential district to not less than a certain speed without conducting an engineering and traffic investigation; and generally relating to the reduction of speed limits.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–801.1(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–803(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 37 – Delegate Kullen

AN ACT concerning

Judges' Retirement System – Disability Retirement

FOR the purpose of altering the computation of a retirement allowance for certain members or former members of the Judges' Retirement System who retire on disability under certain circumstances; and generally relating to disability retirement benefits for members or former members of the Judges' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–402(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 38 – Delegate Manno

AN ACT concerning

Maryland Bottled Gas Buying Group

FOR the purpose of establishing the Maryland Bottled Gas Buying Group as a nonprofit public corporation to negotiate the lowest–cost supply of bottled gas on behalf of its members; specifying the intent of the General Assembly that the Buying Group become fiscally self–sustaining; establishing a Board of Directors of the Buying Group; providing for the appointment, terms, and removal of Board members; prohibiting certain persons from serving on the Board; prohibiting Board members from receiving compensation; authorizing Board members to receive certain reimbursement; providing for the appointment of an executive director; establishing the duties of the executive director; providing that the Board shall determine the compensation of the executive director and other employees; exempting the Buying Group from certain finance and procurement laws and certain State personnel and pension laws; requiring the Buying Group to conduct a certain audit of its books a certain number of times each year; requiring the Buying Group to report to the Governor and the General Assembly by a certain date each year; authorizing the Board to

establish terms and conditions for membership in the Buying Group; requiring the Buying Group to refund to its members a certain amount after each fiscal year; requiring that the refund be apportioned among members in a certain manner; establishing a Maryland Bottled Gas Buying Group Fund as a special, nonlapsing fund for certain purposes; providing that the Buying Group shall administer the Fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the contents of the Fund; providing for the use of the Fund; requiring the State Treasurer to invest the Fund in a certain manner; defining certain terms; and generally relating to the Maryland Bottled Gas Buying Group.

BY adding to
Article – State Government
Section 9–2101 through 9–2110 to be under the new subtitle "Subtitle 21. Maryland Bottled Gas Buying Group"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 39 – Delegate Riley

AN ACT concerning

Health Insurance – Out–of–State Association Contracts – Regulation

FOR the purpose of requiring certain carriers that offer certain out–of–state association contracts to Maryland residents also to offer certain individual health insurance contracts to Maryland residents; requiring the carriers to make certain disclosures to a Maryland resident applying for coverage under an out–of–state association contract; requiring the carriers to disclose certain information on the enrollment application for coverage under an out–of–state association contract under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to out–of–state association contracts.

BY adding to
Article – Insurance
Section 15–1105 to be under the amended subtitle "Subtitle 11. Miscellaneous Health Insurance Policies and Contracts and Health Benefit Plans"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 40 – Delegate Smigiel

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland Constitution – Laws Making an Appropriation Made Subject to Petition Referendum

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a law making a certain appropriation shall be subject to rejection or repeal by the voters of the State under the petition referendum process provided under the Maryland Constitution; generally relating to making laws that make a certain appropriation subject to the petition referendum process under the Maryland Constitution; 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 XVI – The Referendum
Section 2

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

House Bill 41 – Delegates Nathan–Pulliam, V. Turner, Benson, Montgomery, Kullen, and Pena–Melnyk

AN ACT concerning

Health Insurance – Mandated Benefits – Hospitalization and Home Visits Following a Mastectomy

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide inpatient hospitalization coverage for a certain minimum length of time following a mastectomy that is performed for the treatment of breast cancer; providing that the inpatient hospitalization services required under this Act need not be provided if a patient, in consultation with the patient's attending physician, decides that a shorter period of inpatient hospitalization is needed for recovery; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain home visits under certain circumstances; prohibiting an entity subject to this Act from denying, limiting, or otherwise impairing the participation of an attending physician under contract with the entity under certain circumstances; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing certain cost–sharing requirements or refusing reimbursement for certain services except under certain circumstances; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide a certain notice to enrollees and insureds; defining certain terms; providing for

the application of this Act; and generally relating to health insurance coverage for hospitalization and home visits following a mastectomy.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–832
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–832.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 42 – Delegates Haddaway and Eckardt

AN ACT concerning

Talbot County – Property Tax Credit for Habitat for Humanity of Talbot & Dorchester Counties, Inc.

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 certain real property owned by Habitat for Humanity of Talbot & Dorchester Counties, Inc.; requiring Habitat for Humanity of Talbot & Dorchester Counties, Inc. to submit certain reports to Talbot County; authorizing the governing body to set, by law, the amount, terms, scope, and duration of 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 certain real property owned by Habitat for Humanity of Talbot & Dorchester Counties, Inc.

BY adding to
Article – Tax – Property
Section 9–322(e)
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 43 – Delegates Haddaway and Eckardt

AN ACT concerning

Talbot County – School Buses – Length of Operation

FOR the purpose of altering the length of time a school bus may be operated in Talbot County; and generally relating to school bus operation in Talbot County.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 44 – Delegate Haddaway

AN ACT concerning

Creation of a State Debt – Talbot County – Family Support 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 Council of Talbot 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 Appropriations.

House Bill 45 – Delegate Kullen

AN ACT concerning

Crimes – Tattooing, Branding, and Body Piercing – Parental Consent

FOR the purpose of prohibiting the tattooing, branding, or body piercing of a minor without the prior written informed consent of the minor's parent or legal guardian; requiring the consent of a parent or legal guardian to be executed in a certain manner; providing that an individual who violates this Act is guilty of a

misdemeanor and is subject to certain fines under certain circumstances; providing for the construction of certain provisions of this Act; and generally relating to the tattooing, branding, or body piercing of a minor.

BY adding to
Article – Criminal Law
Section 10–112.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 46 – Delegate Sossi

AN ACT concerning

Caroline County – Alcoholic Beverages – Multiple Event Licenses

FOR the purpose of authorizing in Caroline County an applicant to purchase multiple event alcoholic beverages licenses; specifying certain license fees; prohibiting the total number of days for which multiple event licenses may be issued to a single applicant from exceeding a certain number of days; requiring that fees for multiple event licenses be paid in advance; prohibiting the Board of License Commissioners from issuing certain refunds under certain circumstances; providing for certain restrictions on the issuance of multiple event licenses; requiring that a certain server be on the licensed premises whenever alcoholic beverages are served under the license; and generally relating to alcoholic beverages licenses in Caroline County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(j)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 7–101(j)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 47 – Delegate Norman

AN ACT concerning

Estates and Trusts – Deposit of Wills with and Delivery by Register of Wills – Proof of Identification

FOR the purpose of requiring a showing of proper identification to deposit a will for safekeeping with a register of wills; requiring, during the lifetime of the testator, the showing of proper identification before a deposited will may be delivered by the register of wills to the testator or to a person authorized by the testator in writing to receive the will; clarifying language; making stylistic changes; and generally relating to registers of wills.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 4–201 and 4–202
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 48 – Delegate Norman

AN ACT concerning

Crimes – Intentional Destruction of Will

FOR the purpose of making it a misdemeanor to intentionally destroy a will of another without authorization in writing by the testator of the will; establishing penalties for a violation of this Act; establishing that it is not a defense to a charge of a violation of this Act that the defendant believed that the destroyed will was invalid; and generally relating to the intentional destruction of wills.

BY adding to
Article – Estates and Trusts
Section 4–204
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 49 – Delegate G. Clagett

AN ACT concerning

Agriculture – Specialty Fertilizers – "No Phosphate Fertilizer"

FOR the purpose of requiring certain specialty fertilizer to be marked with certain words in a certain manner; prohibiting a person from using, selling, manufacturing, or distributing for use or sale in the State a certain specialty

fertilizer on or after a certain date; defining certain terms; and generally relating to specialty fertilizer.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–201 and 6–210
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Agriculture
Section 6–222
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Crimes – Child Endangerment

FOR the purpose of prohibiting a parent or other person who has permanent or temporary care, custody, or responsibility for the supervision of a minor from recklessly acting in a manner that creates, or failing to act in a manner that prevents, a substantial risk of death to the minor or permanent or protracted serious disfigurement, loss of the function of a bodily member or organ, or impairment of the function of a bodily member or organ of the minor; establishing certain penalties for a violation of this Act; and generally relating to the crime of child endangerment.

BY adding to
Article – Criminal Law
Section 3–602.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

MESSAGE FROM THE EXECUTIVE

GOVERNOR MARTIN O'MALLEY – 2008 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit B of Appendix II)

Read and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 5)

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 6)

ADJOURNMENT

At 12:57 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 15, 2009.

Annapolis, Maryland
Thursday, January 15, 2009

The House met at 10:08 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 7)

The Journal of January 14, 2009 was read and approved.

EXCUSES:
Del. G. Clagett - illness - back problems
Del. Doory - late - personal
Del. Dwyer - personal
Del. Elliott - wife's death
Del. Hucker - business - hearing
Del. Stukes - personal
Del. Weir - out of town

INTRODUCTION OF BILLS

House Bill 51 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations

FOR the purpose of adding a new title to the State Government Article of the Annotated Code of Maryland, to be designated and known as "Title 20. Human Relations"; revising, restating, and recodifying certain laws relating to the Commission on Human Relations, including laws concerning the members and staff of the Commission and the powers and duties of the Commission; revising, restating, and recodifying certain laws relating to discrimination in places of public accommodation, commercial leasing, employment, and housing; revising, restating, and recodifying certain laws relating to discrimination by certain licensed or regulated persons and by governmental units, officers, and

employees; revising, restating, and recodifying certain laws relating to aiding, abetting, or attempting certain discriminatory acts and obstructing compliance with certain laws or orders; revising, restating, and recodifying certain laws relating to enforcement of certain discrimination laws; revising, restating, and recodifying certain laws relating to criminal penalties for violations of certain laws; revising, restating, and recodifying certain laws relating to civil actions for violations of certain county discrimination laws; 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 the laws of the State concerning human relations.

BY repealing
Article 49B – Human Relations Commission
Section 1 through 43 and the various subtitles
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 20–101 through 20–1203, inclusive, and the various subtitles to be under the new title "Title 20. Human Relations"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 52 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations – Cross–References and Corrections

FOR the purpose of correcting certain cross–references to Article 49B (Human Relations Commission) in the Annotated Code of Maryland; making certain technical and stylistic changes; and generally relating to the revision of Article 49B of the Code and cross–references to it.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–526(a) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 15–202
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–435
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–355
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–202(h)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19–107(a) and (d)(1) and 19–108(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–205(b) and 10–617(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 53 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations – Substantive Modifications

FOR the purpose of repealing obsolete provisions of law relating to hearing examiners appointed by the Commission on Human Relations; prohibiting discrimination by certain licensed or regulated persons on the basis of age; prohibiting discrimination in the leasing of commercial property on the basis of sexual orientation; prohibiting discrimination in the leasing of commercial property against a person, rather than an individual; prohibiting certain notices or advertisements relating to employment from indicating any preference, limitation, specification, or discrimination based on marital status; altering the definition of "disability" for purposes of provisions prohibiting discrimination in housing; authorizing a certain complainant to file a request for reconsideration of a certain finding; providing that an administrative law judge, rather than the Commission, may allow a certain complaint or answer to be reasonably amended; establishing that a certain decision and order issued by an administrative law judge shall become the final order of the Commission under certain circumstances; repealing a requirement that certain judicial review standards govern the court in a certain action to enforce compliance with a certain order of the Commission; expanding the relief available to an intervening party in a certain action; repealing a provision making it a misdemeanor to file and pursue a complaint of discrimination under certain circumstances; repealing a provision making it a misdemeanor to receive remuneration for participation in a racial demonstration in the State; correcting cross–references and clarifying language in provisions of law relating to employment practices by persons granted certain privileges by the Maryland Aviation Administration; and generally making substantive modifications, clarifications, and corrections in provisions of law relating to human relations.

BY repealing
Article – State Government
Section 20–207, 20–1104, and 20–1105
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. ___) (9lr0791) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–402, 20–501, 20–606(e), 20–701(b)(1), 20–1005(d), 20–1008(e), 20–1011, 20–1014(c)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. ___) (9lr0791) of the Acts of the General Assembly of 2009)

BY adding to
Article – State Government
Section 20–1009(e)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. ___) (9lr0791) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 5–408
Annotated Code of Maryland
(2008 Replacement Volume)

BY renumbering
Article – State Government
Section 20–208
to be Section 20–207
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. ___) (9lr0791) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 54 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations – Civil Actions – Unlawful Employment Practices

FOR the purpose of clarifying that certain provisions of law relating to civil actions elected or filed by certain complainants apply only to unlawful employment practices; making certain conforming changes; and generally relating to the relief available for certain discriminatory acts.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1006(b), 20–1007(a) and (b), 20–1012(a) and (b), and 20–1013(a) and (b)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. ___) (9lr0791) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 55 – Delegates Barnes, Dumais, Frush, Hecht, and Ross

AN ACT concerning

Domestic Violence – Temporary Protective Order Hearing – Substitution of Final Protective Order Hearing

FOR the purpose of altering the parties who may expressly consent to waive a temporary protective order hearing and proceed to the final protective order hearing; altering provisions relating to a judge's authority to proceed with a final protective order hearing in a certain situation by adding the requirement that there be an express finding by the court that a final protective order hearing would serve the interests of justice; and generally relating to the waiver of a temporary protective order hearing and the substitution of the final protective order hearing.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–505(a)(1) and (b)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–505(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 56 – Delegates Barnes, Dumais, and Frush

AN ACT concerning

Domestic Violence – Conditions of Probation – Order to Carry or Wear a Global Positioning System Device

FOR the purpose of authorizing a court, when placing on probation a defendant who has been convicted of a certain crime of domestic violence, to order the defendant to carry or wear a global positioning system device as a condition of probation and to provide the victim of the crime with an electronic receptor device capable of receiving certain information that notifies the victim if the defendant is located within the proximity to the victim proscribed by the court; requiring that a certain victim of a certain crime of domestic violence be furnished with certain information under certain circumstances; prohibiting a defendant from being released under this Act unless the defendant agrees to pay certain costs as a condition of release; and generally relating to conditions of probation and domestic violence.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–219(b)
Annotated Code of Maryland

(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 6–219(g)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–501(a), (b), (h), (l), (m), and (p), 4–504, and 4–513
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 57 – Delegates Rosenberg, Dumais, and Waldstreicher

AN ACT concerning

Child Abuse and Neglect – Referral to Family Planning Services

FOR the purpose of requiring the Department of Human Resources to refer an individual to certain family planning counseling and services when the individual is identified as responsible for child abuse or neglect in a certain central registry of child abuse and neglect cases or when the parental rights of the individual are terminated involuntarily due to child abuse or neglect; providing for the application of this Act; and generally relating to child abuse and neglect and referral to family planning counseling and services.

BY adding to
Article – Family Law
Section 5–323.1 and 5–715
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–714(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 58 – Anne Arundel County Delegation

EMERGENCY BILL

AN ACT concerning

Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day

FOR the purpose of providing that in Anne Arundel County or the City of Annapolis, a certain establishment licensed for alcoholic beverages with an on–sale privilege that is open on Inauguration Day may remain open for a certain period past its normal closing time for on–premises consumption only on payment of a certain fee; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County and the City of Annapolis.

Read the first time and referred to the Committee on Economic Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 1 – Delegates Rosenberg and Hixson

A House Joint Resolution concerning

The Jim McKay Maryland Million

FOR the purpose of urging the Maryland Million LTD to rename the day of racing known as the Maryland Million in memory of Jim McKay, rename a certain trophy in memory of Jim McKay, and continue to sponsor Maryland Million races annually at Laurel Park, except under certain circumstances; and generally relating to the dedication of the Maryland Million to the memory of Jim McKay.

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 8)

ADJOURNMENT

At 10:32 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 16, 2009.

Annapolis, Maryland
Friday, January 16, 2009

The House met at 11:24 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James Malone, Jr. of Baltimore and Howard counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 9)

The Journal of January 15, 2009 was read and approved.

EXCUSES:
Del. Burns – funeral
Del. G. Clagett – illness – back problems
Del. Elliott – wife's death
Del. Jones – business
Del. Oaks – doctor's appointment

APPOINTMENTS

JANUARY 16, 2009

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING CHANGES IN COMMITTEE ASSIGNMENTS:

HON. HEATHER R. MIZEUR TO THE APPROPRIATIONS COMMITTEE
HON. WENDELL R. BEITZEL TO THE APPROPRIATIONS COMMITTEE
HON. CHARLES E. BARKLEY TO THE ECONOMIC MATTERS COMMITTEE
HON. J.B. JENNINGS TO THE JUDICIARY COMMITTEE
HON. LEROY E. MYERS, JR. TO THE WAYS AND MEANS COMMITTEE
HON. CHRISTOPHER B. SHANK TO THE WAYS AND MEANS COMMITTEE

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 16, 2009

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING CHANGES IN COMMITTEE ASSIGNMENTS:

HON. ANDREW A. SERAFINI TO THE ENVIRONMENTAL MATTERS COMMITTEE
HON. SUSAN W. KREBS TO THE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE
HON. JOSEPH C. BOTELER, III TO THE WAYS AND MEANS COMMITTEE

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and adopted.

INTRODUCTION OF BILLS

House Bill 59 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Well Drillers – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Well Drillers 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 the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Well Drillers.

BY repealing and reenacting, with amendments,
Article – Environment
Section 13–602
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(68)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 60 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Horse Racing Act – Sunset Extension and Program Evaluation

FOR the purpose of extending the date on which the Maryland Horse Racing Act terminates; requiring that an evaluation in accordance with the Maryland Program Evaluation Act (sunset law) be made of the State Racing Commission, the Maryland–Bred Race Fund Advisory Committee, and the Maryland Standardbred Race Fund Advisory Committee and the related statutes and regulations on or before a certain date; exempting the Commission and certain advisory committees from certain evaluation requirements; and generally relating to the Maryland Horse Racing Act.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–1101
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–1102
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a) and 8–404
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government

Section 8–403(b)(37), (56), and (64)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 61 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Athletic Commission – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Athletic Commission 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 Commission; requiring that an evaluation of the Commission and the statutes and regulations that relate to the Commission be performed on or before a certain date; requiring the Commission to submit a certain report on or before a certain date; and generally relating to the State Athletic Commission.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4–208
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(5)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 62 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Veterinary Medical 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; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Veterinary Medical Examiners.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–316
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(66)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 63 – Delegates Ali and Bronrott

AN ACT concerning

Candidacy Deadline Reform Act

FOR the purpose of altering the deadline for withdrawing a certificate of candidacy to coincide with the deadline for filing a certificate of candidacy; making conforming changes; and generally relating to altering a certain deadline for withdrawing a certificate of candidacy for certain elections.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 5–303 and 5–902
Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–502, 5–903, 5–904, and 5–905(a) and (b)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 64 – Delegates McConkey, Haddaway, Krysiak, Mathias, Miller, and Minnick

AN ACT concerning

Unemployment Insurance – Exemption from Covered Employment – Continuing Education Instructors

FOR the purpose of clarifying that a certain type of continuing education instruction performed under certain circumstances is not covered employment for purposes of unemployment insurance; and generally relating to coverage of individuals providing continuing education under the unemployment insurance law.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–205, 8–212(c), and 8–214
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 8–206(g)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 65 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

FOR the purpose of adding Worcester County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Worcester County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 66 – Delegates Anderson, Carter, Conaway, Rosenberg, Simmons, Sophocleus, and Waldstreicher

AN ACT concerning

Criminal Law – Theft – Penalties

FOR the purpose of altering certain penalties for a conviction of theft of property or services with a value at or over a certain value; and generally relating to theft of property or services.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–104(g)(1)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 7–104(g)(2), (3), and (4)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 67 – Delegates Feldman and Bronrott

AN ACT concerning

Vehicle Laws – Rules of the Road – Use of Signals When Changing Lanes

FOR the purpose of prohibiting a person from moving a vehicle right or left on a roadway in order to change lanes unless the person gives an appropriate signal in a certain manner; making certain stylistic changes; and generally relating to the use of vehicle signals when changing lanes.

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–604
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–605
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 68 – Delegate Holmes

AN ACT concerning

Income Tax Exemption Amounts – Blind and Elderly Individuals

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 69 – Delegate Feldman

AN ACT concerning

Business Occupations and Professions – Accountants – Continuing Education

FOR the purpose of repealing a certain provision of law that prohibits a certain licensee from receiving more than a certain number of credit hours to meet a certain program requirement if the credit hours are obtained in a certain manner; and generally relating to continuing education requirements for certified public accountants.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–312(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 70 – Delegate Morhaim

AN ACT concerning

Department of Health and Mental Hygiene – Commissions, Programs, and Reports – Revision

FOR the purpose of repealing provisions establishing the Community Services Advisory Commission; repealing the reporting requirement for the Department of Health and Mental Hygiene regarding the Substance Abuse Treatment Outcomes Partnership Fund; repealing the reporting requirement for certain facilities regarding the status of mentally ill individuals admitted to the facilities; repealing the reporting requirement for certain facilities regarding the release of mentally ill individuals from the facilities; repealing the reporting requirement for the Developmental Disabilities Administration regarding the implementation of community residential mental health programs for children and adolescents; repealing the reporting requirement for the State Advisory Council on Arthritis and Related Diseases; altering the reporting requirement for the Oral Health Safety Net Program; altering the reporting requirement for the Department regarding money held in trust from certain managed care organizations; repealing the reporting requirement for the Maryland Medical Advisory Committee; repealing the reporting requirement for the Department regarding the status of a certain waiver application; repealing a certain provision regarding eligibility for home– and community–based services for impaired individuals under Medicaid; repealing the reporting requirement for the Department regarding the status of an application for certain federal matching funds; repealing the reporting requirement for the Department regarding the status of an application for a certain federal grant; repealing the community choice program; codifying certain provisions relating to the review and reporting of certain fee–for–service rates; repealing the reporting requirement of the Department regarding the Oral Health Program; repealing the requirement for a certain panel regarding off–label drug use; repealing the reporting requirement for the Department regarding the off–label drug use panel's recommendations; altering certain reporting requirements for the Department regarding fee–for–service rates; repealing certain reporting requirements for the Department regarding fee–for–service rates; repealing the reporting requirement of the Department regarding the results of certain hospital death record reviews; repealing a certain reporting requirement of the Department regarding dental services under the Maryland Medical Assistance Program; repealing the reporting requirement for the Department regarding the status of certain Family Investment Program recipients; repealing provisions establishing the Osteoporosis Prevention and Education Task Force; repealing

the provisions establishing the State Advisory Council on Medical Privacy and Confidentiality; making technical corrections; and generally relating to the revision of commissions, programs, and reports of the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–307(k)(1)(vi), 8–6C–03, 10–923(d), 10–925(c), 13–509, 13–2504, 15–102.4, 15–103(b)(27)(iv), 15–132(j), 15–133, and 24–1105(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health – General
Section 7–204, 10–711, 10–810, 15–130(f), 15–132(i) and (k), 15–141, and 18–803
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–103.5
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–804
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Chapter 280 of the Acts of the General Assembly of 2005
Section 11

BY repealing
Chapter 702 of the Acts of the General Assembly of 2001, as amended by Chapter 464 of the Acts of the General Assembly of 2002
Section 1

BY repealing
Chapter 1 of the Acts of the General Assembly of 1998
Section 2

BY repealing
Chapter 2 of the Acts of the General Assembly of 1998
Section 2

BY repealing
Chapter 113 of the Acts of the General Assembly of 1998
Section 6

BY repealing
Chapter 593 of the Acts of the General Assembly of 1997
Section 16

BY repealing
Article – Health – General
Section 4–3A–01 through 4–3A–05 and the subtitle "Subtitle 3A. State Advisory Council on Medical Privacy and Confidentiality"; and 13–1901 through 13–1906 and the subtitle "Subtitle 19. Osteoporosis Prevention and Education Task Force"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY renumbering
Article – Health – General
Section 7–205 through 7–207, 10–712 through 10–714, and 10–811 through 10–813, respectively
to be Section 7–204 through 7–206, 10–711 through 10–713, and 10–810 through 10–812, respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 71 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Department of Legislative Services – Technical Changes

FOR the purpose of making technical changes to conform the law to current practice regarding the appointment of managers in the Office of Policy Analysis and the Office of Legislative Information Systems in the Department of Legislative Services; and generally relating to the Department of Legislative Services.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1231 and 2–1236
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 107 – Senator Astle

EMERGENCY BILL

AN ACT concerning

Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day

FOR the purpose of providing that in Anne Arundel County or the City of Annapolis, a certain establishment licensed for alcoholic beverages with an on–sale privilege that is open on Inauguration Day may remain open for a certain period past its normal closing time for on–premises consumption only on payment of a certain fee; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County and the City of Annapolis.

Read the first time and referred to the Committee on Economic Matters.

Delegate Davis moved to put **Senate Bill 107** on Second Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 10)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 107** was placed on Second Reading.

Senate Bill 107 – Senator Astle

EMERGENCY BILL

AN ACT concerning

Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day

STATUS OF BILL: BILL ON 2ND READING.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 11)

Senate Bill 107 – Senator Astle

EMERGENCY BILL

AN ACT concerning

Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day

Delegate Davis moved to put **Senate Bill 107** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 133 Negative – 2 (See Roll Call No. 12)

Two–thirds of the Delegates elected having voted in the affirmative, **Senate Bill 107** was placed on Third Reading.

Read the third time and passed by yeas and nays as follows:

Affirmative – 130 Negative – 5 (See Roll Call No. 13)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 14)

ADJOURNMENT

At 11:47 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 19, 2009.

Annapolis, Maryland
Monday, January 19, 2009

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joanne C. Benson of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 15)

The Journal of January 16, 2009 was read and approved.

EXCUSES:
Del. Burns – funeral
Del. G. Clagett – illness
Del. Davis – illness
Del. Donoghue – inclement weather
Del. Doory – illness
Del. Dwyer – personal – emergency
Del. Elliott – wife's death
Del. Gutierrez – Presidential Inauguration
Del. Jameson – mother's death
Del. Kach – illness
Del. Kelly – Presidential Inauguration
Del. Lee – Presidential Inauguration
Del. Mathias – Presidential Inauguration
Del. Mizeur – illness
Del. Pena–Melnyk – Presidential Inauguration
Del. Ramirez – Presidential Inauguration
Del. Schuler – personal
Del. Taylor – Presidential Inauguration
Del. Walkup – medical appointment

INTRODUCTION OF BILLS

House Bill 72 – Delegates F. Turner, Ali, Barkley, Bartlett, Beidle, Bobo, Branch, Cardin, V. Clagett, Conway, DeBoy, Doory, Eckardt, Frick, Frush, Gilchrist, Gutierrez, Haddaway, Harrison, Heller, Hixson, Holmes, Howard, Hubbard, King, Kirk, Kramer, Krebs, Krysiak, Lee,

Levy, Mathias, McDonough, McHale, Miller, Minnick, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Reznik, Rice, Ross, Shewell, Sossi, Stocksdale, Stukes, Tarrant, Taylor, V. Turner, Vallario, Vaughn, Walker, and Weir

AN ACT concerning

Motor Vehicles – Use of Text Messaging Device While Driving – Prohibition

FOR the purpose of prohibiting a person from using a text messaging device to write, send, or read a text message while operating a motor vehicle.

BY adding to
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 73 – Delegates Rice, Feldman, Ivey, F. Turner, and Walker

AN ACT concerning

Education – Floating Teacher Pilot Program

FOR the purpose of establishing the Floating Teacher Pilot Program in certain counties; requiring certain county boards of education to select certain schools to participate in the Pilot Program based on certain criteria; requiring the State Department of Education to reimburse certain county boards for certain expenses; requiring the Department to submit a certain report on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Floating Teacher Pilot Program.

BY adding to
Article – Education
Section 7–208
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 74 – Delegate Niemann

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 2008 Supplement)

BY adding to
Article – Real Property
Section 11B–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 75 – Delegates Nathan–Pulliam, Benson, Burns, Costa, Kullen, Mizeur, Montgomery, Oaks, Pena–Melnyk, Reznik, Riley, V. Turner, and Weldon

AN ACT concerning

Maryland Health Insurance Plan – Preexisting Condition Limitation

FOR the purpose of prohibiting the Board of Directors of the Maryland Health Insurance Plan from applying a preexisting condition limitation on Plan

coverage; repealing the authority of the Board to offer members an optional endorsement to remove a preexisting condition limitation; repealing a provision prohibiting the Plan from applying a preexisting condition exclusion to a certain individual who applies for coverage under the Plan within a certain time period; and generally relating to preexisting condition limitations under the Maryland Health Insurance Plan.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–502(a) and 14–505(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Article – Insurance
Section 14–505(j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 14–505(j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–508
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 76 – Delegates Nathan–Pulliam, Benson, Burns, Costa, Hubbard, Kipke, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Hepatitis C Virus – Public Awareness and Outreach – Repeal of Sunset

FOR the purpose of repealing the termination date for a provision of law that requires the Department of Health and Mental Hygiene to conduct certain outreach and public awareness campaigns regarding the hepatitis C virus.

BY repealing and reenacting, with amendments,

Chapter 457 of the Acts of the General Assembly of 2006
Section 4

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 77 – Delegates Miller and Rudolph

AN ACT concerning

Business Regulation – Motor Fuel – Below–Cost Sales – Enforcement

FOR the purpose of allowing a retail gasoline dealer against whom a certain complaint is filed alleging a violation of the below–cost sales law to produce certain documents relating to the complaint within a certain time period; providing for the imposition of certain sanctions in a certain manner, including a civil penalty; making a stylistic change; and generally relating to the sale of motor fuel below cost.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–301 and 10–316
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–304.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 11–402
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 78 – Delegate Miller

AN ACT concerning

Business Regulation – Motor Fuel – Below Cost Sales

FOR the purpose of repealing certain provisions of law that prohibit a retail service station dealer from selling motor fuel below cost; repealing certain provisions of

law that require the Comptroller, on receipt of a certain complaint, to conduct a certain investigation within a certain amount of time; repealing certain penalties; repealing the exemption for motor fuel sold by a retail service station dealer from the provisions of the Sales Below Cost Act; and generally relating to the sale of motor fuel below cost.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–301 and 10–316
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Article – Business Regulation
Section 10–304.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–402
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 79 – Delegates Stifler and Niemann

AN ACT concerning

Real Property – Mortgage Fraud – Creation of Fraudulent Documents

FOR the purpose of expanding the scope of the Maryland Mortgage Fraud Protection Act to prohibit the creation or production of a document that contains a deliberate misstatement, misrepresentation, or omission with the intent that the document be relied on by certain persons in the mortgage lending process; and generally relating to mortgage fraud.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–401(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 80 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Part–Time Inspectors

FOR the purpose of authorizing the Frederick County Liquor Board to appoint a certain number of part–time alcoholic beverages inspectors; specifying certain requirements that a person must meet to qualify for appointment; specifying certain powers, duties, and compensation of part–time inspectors; making certain prohibitions against conflict of interest applicable to part–time inspectors; and generally relating to part–time alcoholic beverages inspectors in Frederick County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–103
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 81 – Frederick County Delegation

AN ACT concerning

Frederick County – Property Tax Exemption

FOR the purpose of providing a State property tax exemption for certain property in Frederick County that is actively used for farm or agricultural purposes and is subject to an easement or other interest that is conveyed or assigned to certain entities; providing for the application of this Act; and generally relating to a State property tax exemption for certain property in Frederick County.

BY adding to
Article – Tax – Property
Section 7–308
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 82 – Frederick County Delegation

AN ACT concerning

Frederick County – Overdue Water and Sewer Charge – Restoration of Service Penalty

FOR the purpose of altering the penalty imposed on water users in Frederick County for restoring service after an overdue charge for water and sewer services has been paid; and generally relating to water and sewer service charges in Frederick County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2–13–23(a)(1)
Article 11 – Public Local Laws of Maryland
(2004 Edition and September 2008 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 83 – Delegates Tarrant, Morhaim, Hubbard, Kullen, Pena–Melnyk, Reznik, Rice, V. Turner, and Weldon

AN ACT concerning

Health Occupations – Pharmacies – Display of SMARxT Disposal Campaign Poster

FOR the purpose of requiring a pharmacy to display a certain poster containing information on the proper storage and disposal of prescription drugs; and generally relating to the proper storage and disposal of prescription drugs.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–403(b)(18) and (19)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 12–403(b)(20)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 84 – Delegates Stukes, Ali, Anderson, Barve, Benson, Branch, Braveboy, Burns, Cane, Carter, Conaway, DeBoy, Doory, Dumais, Elmore, Frush, Gaines, George, Gilchrist, Glenn, Griffith, Harrison, Haynes, Healey, Heller, Howard, Hubbard, Ivey, Kaiser, Kipke, Kirk, Kramer, Krebs, Krysiak, Levi, Levy, Malone, Mathias, McComas, McHale, McIntosh, Morhaim, Murphy, Myers, Nathan–Pulliam,

Niemann, Norman, O'Donnell, Oaks, Olszewski, Pena–Melnyk, Proctor, Ramirez, Rice, Riley, Robinson, Rosenberg, Ross, Rudolph, Shank, Smigiel, Sophocleus, Stifler, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, and Walker

AN ACT concerning

State Government – Commemorative Days – Negro Baseball League

FOR the purpose of requiring the Governor to proclaim annually the second Saturday in May as Negro Baseball League Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 85 – Delegates Rice, Holmes, Barnes, Ali, Barkley, Barve, Cardin, Carr, Davis, Dumais, Elmore, Feldman, Frick, George, Gutierrez, Hixson, Howard, Kaiser, Kipke, Krebs, Manno, Murphy, Myers, Niemann, Olszewski, Pena–Melnyk, Ramirez, Ross, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Walker

AN ACT concerning

College Textbook Competition and Affordability Act of 2009

FOR the purpose of requiring certain institutions of higher education to develop and implement informational campaigns, certain textbook adoption processes, certain procedures relating to certain disclosures and certain affirmations, and certain best practices processes; requiring certain institutions to develop a certain process for the affirmation and acknowledgment by certain faculty of certain information; requiring certain publishers to disclose certain information in certain formats relating to certain prices, certain textbook–related information, certain content revisions, certain other formats, and certain variances in price; requiring certain publishers and certain bookstores to provide and sell certain textbooks and certain supplemental material in a certain manner and to work with certain faculty members to find certain alternatives under certain circumstances; requiring certain textbooks and certain supplemental material to be available in certain packages; requiring certain institutions to provide certain information to certain bookstores under certain circumstances, subject to certain notifications; requiring certain

institutions to make certain information available by posting it on certain websites on or before a certain time; requiring certain institutions to allow certain bookstores to advertise and have certain access to certain students under certain circumstances; providing for a certain exception to the provisions of this Act; providing for the construction of this Act; requiring certain institutions 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 to report regarding certain policies developed in accordance with this Act; requiring the Commission, in consultation with certain stakeholders, to conduct certain feasibility studies on or before a certain date; requiring the University System of Maryland to conduct a certain study regarding certain business models and report the results of the study to the Board of Regents and the General Assembly; defining certain terms; and generally relating to the sale of college textbooks.

BY adding to
Article – Education
Section 15–112
Annotated Code of Maryland
(2008 Replacement Volume)

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 12	JUD

Read and ordered journalized.

MARTIN LUTHER KING, JR. DAY ADDRESS

DELEGATE AISHA N. BRAVEBOY
Prince George's County

Mr. Speaker, Mr. Governor, Mr. Lt. Governor, Madam Chair of the Legislative Black Caucus, Honorable Members of the House of Delegates, Family, Friends and Guests. Thank you for being here this evening as we honor the life and legacy of Dr. Martin Luther King, Jr.

I would like to recognize a few important people who came to hear me tonight….

On the floor are my parents, Cuthbert and Norma Braveboy, my Sister Anika Williams and my beautiful niece Tiarra Williams.

In the balcony is my cousin Jacqueline Braveboy–Wagner, my Legislative Director Elaine Zammett, Legacy fellow Nora Onayemi. My campaign manager Carletta Fellows and deputy manager, Renee Holiday. My good friends Stephen Williams, Adrienne Bennett, Lisa McCoy, Phil Lee, Chris Osuji, Denise Roberts, Michael Herman, Tiffany Alston, Dwight Jones, and a special thanks to Sharon Taylor who helped me with tonight's speech. Also, I would like to thank Jerome Rivers for video taping this address.

Will the members of the Legislative Black Caucus, both past and present rise.
Thank you for your leadership and your service.

It is an honor to address this distinguished body, <u>this night</u>, on the eve of one of the most defining days in the history of America and therefore the world….the day that the son of an African student and a working class Midwesterner, the husband of a devoted wife and father of two beautiful young girls, Barack Hussein Obama, takes the oath of office to become the 44th President of these United States.

As a proud and blessed African American woman living in America today, when I thought about speaking to you in memory of Dr. King, I could not help but reflect on the connection between the man who we are celebrating tonight and the man who will be celebrating tomorrow.

And so in my reflection, I presumed to be present as I imagined a conversation between Dr. King and President–elect Obama.

Borrowing from the words of Dr. King, if he could be with us on this night, I believe he would have this to say to President–elect Obama:

"Son, first let me say how proud I am that 45 years to the day that I delivered the keynote address at the March on Washington, you accepted the presidential nomination to become the first Black man to represent a major political party. On August 28, 1963 --- as on August 28, 2008, Blacks, Whites and Browns joined together to remind America of what you and I called the **fierce urgency of now**. It would be fatal for your new administration to overlook the urgency of this moment. There is no time to engage in the luxury of cooling off or to take the tranquilizing drug of

gradualism. Now is the time to make real the promises of our great democracy for all Americans. [1]

President Obama, you are taking over a Country in peril, from Wall Street, to Main Street, to the dirt streets of our heartland, this Country and the foundation that its economy was built upon has splintered. America is facing the longest and deepest recession since the Great Depression and there is grave civil, social and religious unrest around the world.

America needs your leadership now.

Don't let it be lost, that at this moment, when humanity is suffering and searching for an answer to the troubling times ahead, that America has selected the son of those who were once enslaved to lead this Country.

I am not surprised that you were chosen, for Black people have always shown the strength to overcome the challenges of America. That America would look to you for hope in the face of foreclosures, rising unemployment, loss of retirements and investments, soaring healthcare prices, and the increasing incarceration of our young people, is not so difficult to believe. For the history of slavery, lynching and Jim Crow produced in us a confidence and spiritual fortitude that has you the audacity to hope, the audacity to change, and the audacity to believe that all Americans can join together in the cause of civil rights, economic justice and equality.

While I am proud of your achievement and believe that America is reaching new heights of consciousness with respect to Blacks and other minorities, and while I believe that this Country has turned the proverbial page with respect to tolerance and inclusion, the book is not closed on racism.

The inequitable access to wealth, justice and education still plagues our communities. However, your administration, like those of all presidents has "sufficient power" at its disposal to guide us to a better America. The intolerably slow pace of social and economic justice has been due at least as much to the limits which the federal government has imposed on its own actions as it is to the actions of those who openly oppose equality. [2]

The time to Act is NOW

In my first annual report in the Nation magazine, I spoke about how the Federal Government collects taxes from all citizens, Black, White & Brown, which it is Constitutionally obligated to use for the benefit of all; and trillions of our tax dollars have gone to support the building of roads and highways, the development of housing and the construction of airports, sewer and rail lines – and yet still today Blacks' businesses are still struggling for an equal opportunity to compete for government contracts and Black & Brown labor continues to be exploited for the benefit of those who have always profited from the back breaking work of our people.

The shocking fact is that while the government continues to move sluggishly in a patchwork fashion, to achieve equal rights for all citizens, in the daily conduct of its own massive economic and social activities, our own government is complicit directly and indirectly in the denial of economic justice. [3]

You must face, as I did --- the tragic contradiction that the federal government has been the Nation's largest investor in economic segregation. [4]

But the time for change is now!

President Obama, I know that you have a lot to do for all Americans, but your administration must develop programs to wipe out the Federal Government's support for economic injustice. As I said many times injustice anywhere is a threat to justice everywhere.

So, as we go through this period of economic recovery, and the Federal government, under your leadership seeks to create 3 million new jobs, reinvent healthcare and flush billions into the economy to give America another chance to prosper, you must include those who were forgotten during every other wave of prosperity in this Country.

Now is the time for change.

Notwithstanding the economic downturn, Congress is poised to give you the resources to execute your economic recovery plan. So you must invest those resources in a new way. The allocation of resources in the past has been lopsided, wrong headed and has always benefited the powerful. The powerful never lose opportunities, because opportunity always remains available to them, while opportunity for the powerless on the other hand, is always arriving at a later time.

Now is that time…time for new ideas, new players, and new power.

I have to tell you, achieving fairness and equity won't be easy. There will be those who expect you to maintain the status quo even as the very fact of you as president is a repudiation of the status quo. Your political opponents and even some whom you consider friends will criticize and even attempt to prevent you from inclusive.

But don't you worry. I saw that you ran on a campaign of change, so I believe that you know -- as I knew -- that when you are talking about real change you are always bumping up against somebody else's status quo.

The history books want to remember me as a civil rights leader, working for social change and voting rights for Black people. But I talked just as much about economic justice. Remember when I said that the economic power has few entries for blacks. Nothing so vividly reveals the crushing impact of discrimination and the heritage of exclusion as the limited dimensions of black businesses in the most powerful economy in the World. It saddens me that this is still a reality today.

So, be boundless now.

America needs you to be the kind of President who will not only rise up with rightful indignation when an unarmed Black man is killed by a police officer in the subways of California, but will be equally incensed when Black leadership is targeted by those sworn to uphold the laws of this land by using the powers of their office to tarnish the image of Blacks, Hispanics and other minorities who have the audacity to try and level the economic and political playing fields. [5]

Be steadfast for economic justice and political fairness.

President Obama, son….I must leave you now, but tomorrow I will be looking down from the Heavens as you walk up the steps of the capitol to be sworn in as the 44th president of these United States.

And as you turn to look back on those steps you will see all of our history and struggles standing there with you.

You will see the slaves who built the capital and the men, women and children who wouldn't ride the city bus in Montgomery Alabama.

You will see the four little girls who died in the Birmingham Church.

You will see black men and women who were turned away from voting booths. You will remember the historic struggle of Rosa Parks, Thurgood Marshall, John Lewis, Fannie Lou Hamer, Malcom X, Adam Clayton Powell Jr., Harriet Tubman, Jesse Jackson, The Honorable Gwendolyn Britt, The Honorable Howard Pete Rawlings, The Honorable Clarence Blount, W.E.B. Dubois, Shirley Chisolm, John Hope Franklin, Marcus Garvey and millions of people, Black, White and Brown who selflessly struggled for the true meaning of freedom.

If you look across the mall, you will also sense the presence of the Honorable Hattie N. Harrison, the Honorable Ruth M. Kirk, the Honorable Emmett C. Burns, the Honorable Rudy C. Cane, the Honorable Carolyn J.B. Howard, the Honorable James E. Proctor, the Honorable Joanne C. Benson, the Honorable Frank S. Turner, the Honorable Shirley Nathan–Pulliam, the Honorable Barbara Robinson, the Honorable Nathaniel T. Oaks, the Honorable Melvin Stukes, the Honorable Veronica Turner and some many others who were standing with me so many years ago.

Son, you've got some difficult days ahead. But none of that matters now. You are here. I believe that you've been to the mountaintop, as I have. So just do God's will. And on the eve of this historic day for this great Country… I can rest easy, cause mine eyes have seen the glory…" [6]

[1] Paraphrasing MLK's "I Have a Dream" Speech.

[2] Paraphrasing MLK's 1961 article in *The Nation* entitled "Equality Now".

[3] See footnote 2.

[4] See footnote 2.

[5] Paraphrasing MLK's Speech "The Rising Tide of Racial Consciousness".

[6] Paraphrasing MLK's "I See the Promised Land".

Delegate Griffith moved the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 121 Members present.

(See Roll Call No. 16)

ADJOURNMENT

At 8:42 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 20, 2009.

Annapolis, Maryland
Tuesday, January 20, 2009

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 78 Members present.

(See Roll Call No. 18)

The Journal of January 19, 2009 was read and approved.

EXCUSES:
Del. Barnes – Presidential Inauguration
Del. Benson – Presidential Inauguration
Del. Bobo – Presidential Inauguration
Del. Bohanan – Presidential Inauguration
Del. Braveboy – Presidential Inauguration
Del. Bronrott – Presidential Inauguration
Del. Cardin – Presidential Inauguration
Del. Carr – Presidential Inauguration
Del. G. Clagett – illness
Del. Conway – Presidential Inauguration
Del. DeBoy – Presidential Inauguration
Del. Donoghue – Presidential Inauguration
Del. Doory – illness
Del. Elliott – wife's death
Del. Feldman – Presidential Inauguration
Del. Gaines – Presidential Inauguration
Del. Gilchrist – Presidential Inauguration
Del. Glenn – Presidential Inauguration
Del. Griffith – Presidential Inauguration
Del. Gutierrez – Presidential Inauguration
Del. Guzzone – business
Del. Haddaway – cousin's funeral
Del. Haynes – Presidential Inauguration
Del. Hixson – Presidential Inauguration
Del. Holmes – Presidential Inauguration
Del. Hubbard – Presidential Inauguration
Del. Hucker – Presidential Inauguration

Del. Ivey – Presidential Inauguration
Del. James – personal
Del. Jameson – mother's death
Del. Jones – Presidential Inauguration
Del. Kach – illness
Del. Kaiser – Presidential Inauguration
Del. Kelly – Presidential Inauguration
Del. Kullen – Presidential Inauguration
Del. Lee – Presidential Inauguration
Del. Levi – Presidential Inauguration
Del. Manno – Presidential Inauguration
Del. Mathias – Presidential Inauguration
Del. McConkey – business
Del. McDonough – personal
Del. Mizeur – illness
Del. Pena–Melnyk – Presidential Inauguration
Del. Proctor – Presidential Inauguration
Del. Ramirez – Presidential Inauguration
Del. Reznik – out of town/mother's major surgery
Del. Rice – Presidential Inauguration
Del. Rudolph – Presidential Inauguration
Del. Stein – Presidential Inauguration
Del. Tarrant – business
Del. Taylor – Presidential Inauguration
Del. Valderrama – Presidential Inauguration
Del. Waldstreicher – Presidential Inauguration
Del. Walker – Presidential Inauguration
Del. Walkup – medical appointment

INTRODUCTION OF BILLS

House Bill 86 – Delegate Stifler

AN ACT concerning

Public Health – Food Establishments – Process for Choosing Regulation or Licensure of Excluded Organizations

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt regulations that establish a certain process for entities that are defined as "excluded organizations" under the food establishments law to choose whether they submit to certain regulation or licensure; altering the law so as to require, rather than authorize, the Department to adopt regulations that establish a certain voluntary licensing system; and generally relating to the regulation or licensure of entities that are defined as "excluded organizations" under the food establishments law.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(e) and 21–305(a) and (b)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–304(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 87 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Procedure – No Good Time for Gun Crime

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 certain 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 Judiciary.

House Bill 88 – Delegate Anderson (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
(2008 Replacement Volume)

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

House Bill 89 – Delegates Morhaim, Hammen, and Hubbard

AN ACT concerning

Hospitals – Certificate of Need and Rate–Setting – High Performance Buildings

FOR the purpose of requiring the Maryland Health Care Commission to adopt regulations for certification of need that require certain hospital projects to incorporate the requirements for a high performance building; requiring the Health Services Cost Review Commission, in the determination of reasonable rates for each facility, to take into account the costs of hospital projects that incorporate the requirements for a high performance building; defining a certain term; making a technical change; and generally relating to consideration for high performance buildings in hospital certificate of need and rate–setting decisions.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(a) and (c) and 19–220(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 3–602.1(a)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 90 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Bay Restoration Fund and Bay Restoration Fee

FOR the purpose of curing a previous Act of the General Assembly with a possible title defect (Chapter 666 of the Acts of 2008) by repealing and reenacting, without amendments, provisions of law to provide that the Bay Restoration Fee may not be reduced as long as certain bonds are outstanding, that money in the Bay Restoration Fund may not revert or be transferred to a special fund, that a certain committee is required to make a certain recommendation regarding the restoration fee, and that the Fund may be used for projects related to the removal of nitrogen from onsite sewage disposal systems and cover crop activities, subject to a certain condition; and generally relating to the Bay Restoration Fund and the Bay Restoration Fee.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(b), (f), (i), and (j)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 91 – Delegates Morhaim and Hammen

AN ACT concerning

Department of General Services – Renovation of Historic Structures – Procurement Exemptions

FOR the purpose of exempting the renovation of certain historic structures by the Department of General Services from certain provisions of the State procurement law.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 11–203(a)(1)(xvi) and (xvii)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Finance and Procurement
Section 11–203(a)(1)(xviii)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 92 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Authority of Mayor to Remove Police Commissioner

FOR the purpose of establishing that certain acts of the Mayor of Baltimore City do not interfere with the powers of the Baltimore City Police Commissioner; providing that the Police Commissioner is subject to removal at the pleasure of the Mayor; and generally relating to the authority of the Mayor of Baltimore City to remove the Baltimore City Police Commissioner.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (27)
(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–5(e)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 80 Members present.

(See Roll Call No. 19)

ADJOURNMENT

At 10:13 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 21, 2009.

Annapolis, Maryland
Wednesday, January 21, 2009

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Robert A. Costa of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 116 Members present.

(See Roll Call No. 20)

The Journal of January 20, 2009 was read and approved.

EXCUSES:
Del. Barve – personal
Del. Bronrott – late – personal
Del. Elliott – wife's death
Del. Jameson – mother's death
Del. Kach – illness – flu
Del. Levi – personal – auto problems
Del. McIntosh – late – stuck in traffic
Del. Mizeur – business
Del. Reznik – out of town/mother's major surgery
Del. Walkup – illness

INTRODUCTION OF BILLS

House Bill 93 – Delegate Costa

AN ACT concerning

Mortality and Quality Review Committee – Sunset Repeal

FOR the purpose of repealing the termination date for a provision of law relating to certain reports regarding incidents of injury and certain recommendations and findings by the Mortality and Quality Review Committee; and generally relating to the Mortality and Quality Review Committee and reportable incidents of injury.

BY repealing and reenacting, with amendments,

Chapter 268 of the Acts of the General Assembly of 2006
Section 3

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 94 – Delegate Anderson (By Request – Baltimore City Administration)

EMERGENCY BILL

AN ACT concerning

Baltimore City – Foreign Trade Zones

FOR the purpose of authorizing Baltimore City to apply for establishing, maintaining, and operating foreign trade zones in the Baltimore port of entry and in the State of Maryland within a radius of a certain number of miles beyond the port of entry limits, and to maintain and operate the foreign trade zones; making this Act an emergency measure; and generally relating to the Baltimore Foreign Trade Zone.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (9)
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 95 – Delegates Murphy, Levy, Minnick, and Wood

AN ACT concerning

Sales and Use Tax – Exemption – Veterans' Organizations

FOR the purpose of extending a certain termination provision applicable to a sales and use tax exemption for sales to certain veterans' organizations; and generally relating to a sales and use tax exemption for certain sales to certain veterans' organizations.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–204(a)(8)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 217 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 218 of the Acts of the General Assembly of 2006
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 96 – Delegate Stifler

AN ACT concerning

Public Safety – Offender Registry – Frequency of Photograph

FOR the purpose of altering the time requirement for an updated photograph to be included in the registration of offenders, child sexual offenders, sexually violent offenders, and sexually violent predators in the Offender Registry; clarifying that certain photographs are to be updated; and generally relating to the registration of offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–707(a), 11–708(b)(1) and (c), and 11–709(a)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 97 – Delegates Simmons, Bronrott, Conway, DeBoy, Dumais, Eckardt, Montgomery, Riley, Rudolph, and Smigiel

AN ACT concerning

Criminal Law – Manslaughter by Vehicle or Vessel – Criminal Negligence

FOR the purpose of making it a misdemeanor for a person to cause the death of another as a result of the person's driving, operating, or controlling a vehicle or vessel in a criminally negligent manner; establishing the circumstances under which a person is considered to act in a criminally negligent manner for purposes of this Act; establishing that it is not an offense under this Act for a person to cause the death of another as a result of the person's driving, operating, or controlling a vehicle or vessel in a negligent manner; establishing certain penalties; stating the intent of the General Assembly with respect to the interpretation of a certain term; defining a certain term; and generally relating to criminally negligent manslaughter by vehicle or vessel.

BY adding to
Article – Criminal Law
Section 2–210
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 98 – Delegates Simmons, Anderson, Barnes, Dumais, Feldman, Kramer, Levi, McComas, Rosenberg, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Domestic Violence – Temporary Protective Orders – Extension

FOR the purpose of altering the period of time for which a judge is authorized to extend a temporary protective order to effectuate service of the order where necessary to provide protection or for other good cause; and generally relating to temporary protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–505
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 99 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Commercial Real Property – Action to Abate Drug Nuisance – Repeal of Prior Notice Requirement

FOR the purpose of repealing certain advance notification requirements concerning certain drug–related nuisances on commercial real property; and generally relating to nuisances and real property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 14–120(a)(1) and (5)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing
Article – Real Property
Section 14–120(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–120(e) through (q)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 100 – The Speaker and The President (By Request – Administration)

Budget Bill
(Fiscal Year 2010)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2010, 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 Appropriations.

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2009

FOR the purpose of altering or repealing certain required appropriations; altering the amount of a certain Drinking Driver Monitor Program fee and removing a certain limitation on authorization for the fee; altering the calculation of certain State aid to local governments; altering the amount of certain State payments for certain local school employees; altering the calculation of certain local sharing of costs of educating certain children; altering the calculation of certain State aid to community colleges, Baltimore City Community College, and nonpublic institutions of higher education; altering the calculation of certain State funding for library resource centers and county libraries; authorizing the use of certain funds for certain purposes under certain circumstances; altering certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; altering a certain definition under a certain program to

subsidize health insurance for medically uninsurable individuals; altering certain provisions relating to the use of certain funds for certain purposes; altering the distribution of certain federal subsidies received by the State; requiring the Comptroller to distribute a certain amount to the General Fund from a certain account; requiring the Comptroller for certain fiscal years to distribute certain amounts from the income tax revenue from individuals to a certain account; requiring the Comptroller to adjust the amount distributed to the counties from the income tax revenue to allocate certain reductions among the counties in a certain manner; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short–term rental vehicles; requiring the counties and Baltimore City to share certain costs of administering the Department of Assessments and Taxation; authorizing the Comptroller to withhold the distribution of certain local income tax revenue to a county or Baltimore City under certain circumstances; altering certain provisions relating to the funding of a certain highway; altering the calculation of the regular commissions of a licensed agent under the State lottery; altering the calculation of certain State reimbursement to the counties for inmates confined at local correctional facilities; altering the allocation of certain funds received by the Maryland Strategic Energy Investment Fund; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds for certain fiscal years; authorizing the Governor to transfer a certain amount by budget amendment from a certain special fund for a certain purpose; reducing certain funding subject to a certain contingency; prohibiting or limiting certain pay increases for certain providers for a certain fiscal year; deferring certain payments for certain private donation incentives; eliminating or altering certain required payments for certain purposes for a certain fiscal year; prohibiting the payment of certain deferred compensation bonuses, merit increases, or cost–of–living adjustments for certain State employees, except under certain circumstances; repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; requiring that certain salary or hours lost due to a mandatory furlough or salary reduction plan be included in certain calculations for retirement benefits and member contributions; providing for certain compensation for unused annual leave for employees on termination during a mandatory temporary salary reduction plan; making the provisions of this Act severable; providing for the termination of certain provisions of this Act; providing for the effective dates and application of this Act; and generally relating to the financing of State government.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–405(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services

Section 6–115(b) and (c) and 9–402
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–216(b) and 10–523(a)
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(e), 6–306(b), 8–415(d)(3), 16–305(c)(1)(i), 16–512(a)(1), 17–104(a), 23–205(c) and (d), and 23–503(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1), 15–701(i), and 19–214(d)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–106(d) and (e) and 14–501(h)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Natural Resources
Section 8–707(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–709(d)
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–512.1(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–325(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–516(c) and 34–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–606, 2–608, 2–1104, and 2–1302.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 2–106
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–117(a)(1) and 9–20B–05(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 245 of the Acts of the General Assembly of 2008
Section 3

BY repealing
Article – Tax – General
Section 8–406(b) and 10–704.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 62 of the Acts of the General Assembly of 1992
Section 8

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

House Bill 102 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2009, and the Maryland Consolidated Capital Bond Loans of 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, Sixty Eight Million, One Hundred Twenty Four Thousand Dollars ($1,068,124,000), 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; imposing a certain tax on all assessable property in the State; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2010, the proceeds to be used for certain purposes; 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 certain requirements 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; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 103 of the Acts of the General Assembly of 2001, as amended by Chapter 46 of the Acts of the General Assembly of 2006
Section 9

BY repealing and reenacting, with amendments,
Chapter 290 of the Acts of the General Assembly of 2002
Section 1(3) Item RM00(C), Item ZA00(A), Item ZA00(J), and Item ZA00(R)

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 and Chapter 336 of the Acts of the General Assembly of 2008
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 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA00(C)

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, Chapter 46 of the Acts of the General Assembly of 2006, and Chapter 336 of the Acts of the General Assembly of 2008
Section 1(1)

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 and Chapter 219 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA00(B)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item KA05(C) and Item ZB02(B)

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, Chapter 488 of the Acts of the General Assembly of 2007, and Chapter 336 of the Acts of the General Assembly of 2008
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005

Section 1(3) Item RC00(A) and Item RM00(D)

BY adding to
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item RC00(B)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item RE01(A), Item RM00(A), and Item ZA00(L)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item QB02(A), Item RM00(B), Item RQ00(A), and Item ZB02(A)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item KA05(B) and Item RQ00(A), Section 12(1), and Section 12(3) Item DE02.01(I), and Item WA01(A)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 21)

ADJOURNMENT

At 10:13 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 22, 2009.

Annapolis, Maryland
Thursday, January 22, 2009

The House met at 10:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 22)

The Journal of January 21, 2009 was read and approved.

EXCUSES:
Del. Bronrott – illness
Del. Cane – dentist appointment
Del. Elliott – wife's death
Del. Frush – business – meeting with Governor
Del. Griffith – personal
Del. Jameson – mother's death
Del. Reznik – out of town/mother's major surgery

INTRODUCTION OF BILLS

House Bill 103 – Delegates Eckardt, Cane, Elmore, Haddaway, O'Donnell, and Smigiel

EMERGENCY BILL

AN ACT concerning

Department of Natural Resources – Shell Dredging – Permit Application

FOR the purpose of altering the date by which the Department of Natural Resources is required to apply to the Department of the Environment and the United States Army Corps of Engineers for permits to dredge buried oyster shells; making this Act and emergency measure; and generally relating to the dredging of buried oyster shells.

BY repealing and reenacting, with amendments,

Chapter 325 of the Acts of the General Assembly of 2008
Section 2

Read the first time and referred to the Committee on Environmental Matters.

House Bill 104 – Delegates Gutierrez, Carr, and Waldstreicher

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 Appropriations.

House Bill 105 – Delegates Haddaway and Eckardt

AN ACT concerning

Talbot County – Alcoholic Beverages – Limited Wineries

FOR the purpose of authorizing a holder of a Class 4 manufacturer's (limited winery) license in Talbot County to produce wine and pomace brandy at each warehouse for which the holder has been issued an individual storage permit; prohibiting a holder from serving or selling wine and pomace brandy to the public at a warehouse; making a stylistic change; and generally relating to holders of Class 4 manufacturer's licenses in Talbot County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–205(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–205(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article 2B – Alcoholic Beverages
Section 2–205(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 106 – Delegates F. Turner, Bartlett, Barve, Beidle, Conway, Guzzone, Harrison, Hixson, Howard, King, Love, Manno, Miller, Mizeur, Olszewski, Pendergrass, Rice, Shewell, Stifler, Stukes, Taylor, and Vaughn

AN ACT concerning

Commercial Law – Abandoned Property – Notice to Apparent Owners

FOR the purpose of repealing a certain provision of law that requires the Comptroller to cause a certain notice relating to abandoned property to be published in certain newspapers of general circulation; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database; requiring the 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; requiring the Comptroller to maintain, or cause to be maintained, 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 Comptroller to publish a certain notice at least a certain number of times a year in certain newspapers of general circulation; 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 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 107 – Delegates Gutierrez, Carr, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – LEDC Facility

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 Latino

Economic Development Corporation (LEDC) 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 Appropriations.

House Bill 108 – Delegate Feldman

AN ACT concerning

Tax Amnesty Program

FOR the purpose of requiring the Comptroller to waive certain penalties imposed for the nonpayment, nonreporting, or underreporting of certain taxes under certain circumstances; establishing a period during which the Comptroller shall grant amnesty; requiring the Comptroller to submit a certain report on the amnesty program; providing for the distribution of the receipts from the amnesty program; and generally relating to an amnesty program for certain taxes.

Read the first time and referred to the Committee on Ways and Means.

House Bill 109 – Delegate Wood

AN ACT concerning

Health – Issuance of Birth Certificates – Surviving Spouse

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to provide certain individuals with certain certificates on request; altering a provision of law to allow certain birth certificates to be issued on request of a surviving spouse; and generally relating to the issuance of birth, death, and marriage certificates.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–217(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 110 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – School Bus Length of Operation – Sunset Repeal

FOR the purpose of repealing the termination date for a provision of law that alters the length of time a school bus may be operated in Dorchester County; and generally relating to school buses in Dorchester County.

BY repealing and reenacting, with amendments,
Chapter 637 of the Acts of the General Assembly of 2008
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 111 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Sheriff – Salary

FOR the purpose of establishing the salary for the Sheriff of Dorchester County for certain calendar years; repealing references to the County Commissioners of Dorchester County and substituting references to the County Council of Dorchester County; establishing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Dorchester County; and generally relating to the salary of the Sheriff of Dorchester County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(k)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 112 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County Board of Education – Annual Election of Board Officers

FOR the purpose of altering the date of the annual election of officers of the Dorchester County Board of Education; and generally relating to the date of the annual election of officers of the Dorchester County Board of Education.

BY repealing and reenacting, without amendments,

Article – Education
Section 3–5A–01(a) through (d)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–5A–03
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 113 – Delegates Hubbard and Hammen

AN ACT concerning

Interagency Committee on Aging Services – Modifications

FOR the purpose of altering the membership of the Interagency Committee on Aging Services; requiring the Interagency Committee to report on certain recommendations to the General Assembly on or before a certain date; requiring the Interagency Committee to create certain subcommittees, review certain plans and reports, and identify certain service needs of seniors and adults with disabilities in the State; altering the information to be included in a certain annual report; making technical changes; and generally relating to the Interagency Committee on Aging Services.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–301 and 10–309
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–302, 10–303, 10–304, 10–306, and 10–310
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 114 – Delegates Hubbard, Anderson, Aumann, Benson, Boteler, Bromwell, Costa, Frush, Hammen, Healey, Heller, Impallaria, Kach, Kipke, Krysiak, Kullen, Levy, Malone, Mathias, McComas, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnyk,

Reznik, Riley, Stocksdale, Stull, Tarrant, V. Turner, Vaughn, Weldon, and Wood

AN ACT concerning

Food, Drugs, and Cosmetics – Auction and Internet Sales – Prohibition – Exception

FOR the purpose of prohibiting a person from selling drugs, medicines, cosmetics, and certain infant formula and baby food at certain auction sales unless the person makes a certain notification; authorizing the Secretary of Health and Mental Hygiene to make certain inspections; prohibiting a person from selling drugs, medicines, cosmetics, and certain infant formula and baby food at an auction sale under certain circumstances; and generally relating to auction sales of drugs, cosmetics, and certain food.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–1110
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1206
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 115 – Delegate Ali

AN ACT concerning

Punjabi Cultural Awareness Day Act

FOR the purpose of requiring the Governor annually to proclaim a certain day as Punjabi Cultural Awareness Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 116 – Delegate Stifler

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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 117 – Delegate Stifler

AN ACT concerning

State Department of Assessments and Taxation – Property Tax Assessment Appeals Ombudsman

FOR the purpose of requiring the Director of the State Department of Assessments and Taxation to designate a property tax assessment appeals ombudsman; establishing certain duties of the property tax assessment appeals ombudsman; and generally relating to a property tax assessment appeals ombudsman.

BY renumbering
Article – Tax – Property
Section 1–403
to be Section 1–404
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – Property
Section 1–403
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 118 – Delegates Simmons, Waldstreicher, Anderson, Carter, Dumais, Dwyer, Kelly, Kramer, Lee, O'Donnell, Rosenberg, Shank, Smigiel, and Valderrama

AN ACT concerning

Domestic Violence – Domestic Violence Central Repository

FOR the purpose of requiring the Administrative Office of the Courts to maintain a Domestic Violence Central Repository; requiring that the Central Repository store all domestic violence orders entered in the State; establishing the purposes of the Central Repository; defining a certain term; and generally relating to domestic violence and the Domestic Violence Central Repository.

BY adding to
Article – Family Law
Section 4–512
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 119 – Delegate Hubbard

EMERGENCY BILL

AN ACT concerning

Children's Products Containing Lead – Modifications

FOR the purpose of altering the requirements for the testing entity that is to be used by a manufacturer of a children's product; altering certain definitions; defining a certain term; altering the electronic devices, products, and materials to which this Act does not apply; providing that a certain certificate is not required for the sale of certain products; making this Act an emergency measure; and generally relating to children's products containing lead.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–1301, 6–1302, and 6–1304
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 120 – Delegates Stein and Krebs

AN ACT concerning

Task Force to Study How to Improve Financial Literacy in the State – Membership, Staffing, and Extension

FOR the purpose of extending the reporting and termination provisions relating to the Task Force to Study How to Improve Financial Literacy in the State; altering the composition and staffing of the Task Force; making certain stylistic changes; and generally relating to the Task Force to Study How to Improve Financial Literacy in the State.

BY repealing and reenacting, with amendments,
Chapter 186 of the Acts of the General Assembly of 2008
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 187 of the Acts of the General Assembly of 2008
Section 1 and 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 121 – Delegate Kullen

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 Economic Matters.

House Bill 122 – Calvert County Delegation

AN ACT concerning

Calvert County – Education – School Personnel – Employee Service or Representation Fee

FOR the purpose of authorizing the Calvert County Board of Education to negotiate with a certain employee organization a service or representation fee to be charged to certain nonmember school employees for certain purposes; requiring the Calvert County Board of Education to negotiate with a certain employee organization a reasonable service fee to be charged to certain nonmember school employees for certain purposes; making this Act applicable only to school employees hired on or after a certain date; and generally relating to the negotiation of a service or representation fee to be charged to certain school employees employed by the Calvert County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–407 and 6–504
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Air–Conditioning Equipment Specifications and Requirements

FOR the purpose of repealing a certain prohibition against motor vehicle air–conditioning equipment containing a refrigerant that is toxic or flammable; limiting the refrigerants that may be used in motor vehicle air–conditioning equipment beginning with motor vehicles of a certain model year; providing for consultation with the Department of the Environment in the adoption of certain regulations by the Motor Vehicle Administrator; altering the application of a certain prohibition concerning the sale or equipping of motor vehicles with certain air–conditioning equipment; repealing a certain prohibition against the use of a motor vehicle with certain air–conditioning equipment; clarifying language; defining certain terms; making stylistic changes; and generally relating to motor vehicle air–conditioning equipment.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–410
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 23)

ADJOURNMENT

At 10:30 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 23, 2009 in memory of former Delegate Cornell N. Dypski.

Annapolis, Maryland
Friday, January 23, 2009

The House met at 11:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Norman H. Conway of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 24)

The Journal of January 22, 2009 was read and approved.

EXCUSES:
Del. Benson – funeral
Del. Cane – business – meeting in CA
Del. Elliott – wife's death
Del. Mizeur – business – committee in Boston
Del. Stocksdale – funeral

INTRODUCTION OF BILLS

House Bill 123 – Delegate Kelly

AN ACT concerning

Western Maryland Code Home Rule Counties – Police Departments – Local Referendum Required

FOR the purpose of requiring that, if the county commissioners of a code home rule county in the Western Maryland class, by ordinance, create or expand a county police bureau, unit, or department or authorize the appointment of individuals as police officers with full law enforcement powers, or transfer certain responsibilities for the county detention center from the Sheriff's Office, the ordinance is to be submitted to a referendum of the legally qualified voters of the county; requiring the county commissioners and the local board of elections of the appropriate county to take certain actions to provide for and hold the referendum; prohibiting, under certain circumstances, the implementation of certain ordinances or resolutions enacted prior to the effective date of this Act; requiring a certain ordinance that was enacted on a certain date relating to the

authorization of the appointment of individuals as police officers with certain powers to be submitted by the county commissioners to a referendum of the legally qualified voters of the county; requiring the county commissioners and the local board of elections of the appropriate county to take certain actions and hold the referendum on the previously enacted ordinance; providing that the Sheriff's Office of Allegany County is responsible for highway and road patrol duties in the county, with certain law enforcement powers, and continuing, in a certain manner, the operation of and security for the county detention center; making this Act subject to a certain contingency; and generally relating to police departments in code home rule counties in the Western Maryland class and to the Sheriff's Office in Allegany County.

BY adding to
Article 25B – Home Rule for Code Counties
Section 13C–2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(b)(8)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 124 – Delegates Morhaim, Barnes, Branch, Conaway, Glenn, Harrison, Oaks, Robinson, Tarrant, V. Turner, and Walker

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 under certain circumstances; 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 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 125 – Delegates Morhaim, Cardin, Stein, Bromwell, DeBoy, Kach, Lafferty, Malone, Minnick, Nathan–Pulliam, Olszewski, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Owings Mills Jewish 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 Directors of the Baltimore Jewish Council, 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 126 – Delegates Pena–Melnyk, Ali, Anderson, Barkley, Barnes, Beidle, Benson, Bohanan, Branch, Braveboy, Bronrott, Carr, Carter, V. Clagett, Conaway, Feldman, Frick, Frush, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Kaiser, Kirk, Krysiak, Kullen, Lee, Levy, Love, Malone, Minnick, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Reznik, Rice, Robinson, Rosenberg, Ross, Simmons, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, Walker, and Weldon

AN ACT concerning

Commercial Law – Gift Certificates – Balances – Presumption of Abandonment

FOR the purpose of providing that on a certain date the balance remaining on a gift certificate sold in the State shall be presumed to be abandoned; requiring each issuer of gift certificates sold in the State to report to the Comptroller certain information regarding certain gift certificate transactions in the State and to remit to the Comptroller a certain percentage of the remaining balances on certain gift certificates on or before a certain date each year; requiring the Comptroller to distribute certain funds to the General Fund of the State on or before a certain date each year; altering the information that must be printed on a gift certificate, a sticker permanently affixed to a gift certificate, or an envelope containing a gift certificate; requiring each issuer of a gift certificate sold in the State to maintain accounts, books, and records relating to the issuance and sale of the gift certificate for a certain period of time; requiring, for

each gift certificate sold in the State, that the issuer's accounts, books, and records include certain information or list the Comptroller as custodian on behalf of the purchaser; requiring the issuer to make the accounts, books, and records available for inspection by the Comptroller on request; establishing certain penalties; providing that, if a conflict exists between certain provisions of law, a certain provision shall apply; altering a certain definition; and generally relating to balances on gift certificates.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1319
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 127 – Delegates Pena–Melnyk, Benson, Costa, Howard, Hubbard, Kullen, Levi, Nathan–Pulliam, Reznik, Riley, Tarrant, V. Turner, Waldstreicher, and Weldon

AN ACT concerning

Death Certificate – Correction – Notice of Right to Appeal Denial

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to include with a copy of a death certificate a certain notice advising a person in interest of the right to appeal a denial of a request to correct findings and conclusions as to the cause and manner of death recorded on a death certificate; requiring the Department to take a certain action at a certain time; and generally relating to death certificates and notice of the right to appeal a denial of a request for correction.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–217(e) and 5–310(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 4–217(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–217(f)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–611(e)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 128 – Cecil County Delegation

AN ACT concerning

Environment – Disposal of Coal Combustion Byproducts – Zoning and Land Use Requirements

FOR the purpose of requiring a permit to install, materially alter, or materially extend a coal combustion byproduct disposal facility; establishing the application process for a permit to install, materially alter, or materially extend a coal combustion byproduct disposal facility; prohibiting the installation, material alteration, or material extension of a coal combustion byproduct disposal facility that is not in accordance with a permit issued by the Secretary of the Department of the Environment; prohibiting the Secretary from issuing a permit to install, materially alter, or materially extend a site for the disposal of coal combustion byproducts unless certain requirements are met in a certain sequence and the Department of the Environment has received a written statement from the county that the coal combustion byproduct disposal facility meets all applicable county zoning and land use requirements; defining certain terms; prohibiting the Secretary from issuing a certain permit for certain facilities on land designated for inclusion in the critical area; making stylistic changes; and generally relating to coal combustion byproduct disposal facilities.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–201(a) and 9–210(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–204(a), (c), (d), (e), and (h) and 9–210(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 9–201(a–1) and (a–2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 129 – Delegates Pena–Melnyk, Griffith, Howard, Ivey, Nathan–Pulliam, Ramirez, Reznik, Ross, F. Turner, Waldstreicher, and Walker

AN ACT concerning

Vehicle Laws – Horse Riding – Helmet Requirement for Minors

FOR the purpose of prohibiting a minor from riding a horse on a highway, horse–riding path, or certain other property unless the minor is wearing a properly secured helmet that meets certain standards; establishing a fine schedule for violations of the helmet requirement; requiring a police officer enforcing this Act to provide certain educational materials to minors who violate the helmet requirement; and generally relating to helmet use while horse riding.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–104
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 130 – Delegates Pena–Melnyk, Frush, Barnes, Griffith, Holmes, Howard, Ivey, Levi, Malone, Nathan–Pulliam, Niemann, Ramirez, Reznik, Rice, Ross, Tarrant, F. Turner, Valderrama, Waldstreicher, Walker, and Weldon

AN ACT concerning

State Highway Administration – Unauthorized Signs on Highway Rights–of–Way

FOR the purpose of providing for original jurisdiction of the District Court for certain actions; prohibiting a person without authorization from the State Highway Administration from placing or maintaining a sign within the right–of–way of a State highway; providing that a sign placed or maintained in violation of this Act may be removed by the State Highway Administration, a law enforcement

officer, or certain governments; authorizing the Administration or certain governments to recover certain costs and to seek an injunction against violations of this Act; providing for civil penalties for a violation of this Act; providing that the presence of a sign within a State highway right–of–way is prima facie evidence of certain facts; and generally relating to the placement and maintenance of unauthorized signs on State highway rights–of–way.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(16) and (17)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 4–401(18)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–605
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 131 – Delegates Waldstreicher, Ramirez, Hucker, Pena–Melnyk, Barnes, Benson, Braveboy, Burns, Carr, Dumais, Gilchrist, Gutierrez, Guzzone, Ivey, Lee, Manno, Mizeur, Montgomery, Oaks, Ross, Schuler, Simmons, Tarrant, Taylor, V. Turner, Valderrama, and Walker

AN ACT concerning

State Government – Commemorative Days – Cesar Chavez Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Cesar Chavez Day; and generally relating to commemorative days.

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 132 – Delegates Kaiser, Taylor, and Montgomery

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Montgomery County – Sharp Street United Methodist Church Modular Building

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the location and matching fund requirements of a certain grant to the Board of Trustees of the Sharp Street United Methodist Church, Inc.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA01)(BP) and (ZA02)(BA)

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

House Bill 133 – Delegates Kaiser, Montgomery, and Taylor

AN ACT concerning

Creation of a State Debt – Montgomery County – Renovation of "Falling Green" at OBGC Park

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 Olney Boys and Girls Community Sports 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 Appropriations.

House Bill 134 – Chair, Judiciary 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, 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
(2008 Replacement Volume)

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

House Bill 135 – Cecil County Delegation

AN ACT concerning

Environment – Sewage Sludge Utilization – Zoning and Land Use Requirements

FOR the purpose of prohibiting the Department of the Environment from issuing a sewage sludge utilization permit for a site unless the site meets all county zoning and land use requirements or ordinances; prohibiting the Department from issuing a sewage sludge utilization permit for a site that will be on certain land; and generally relating to the use of sewage sludge.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–233
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 136 – Delegate Pena–Melnyk

AN ACT concerning

Specialty Fertilizer – Surcharge

FOR the purpose of imposing a surcharge at a certain rate on each ton of certain commercial fertilizer distributed in the State; requiring certain distributors to pay the surcharge before distributing certain commercial fertilizer in the State; requiring the Department of Agriculture to distribute the revenue from the

surcharge to a certain special fund; and generally relating to a surcharge on certain commercial fertilizer.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 6–201(a) and (w)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–204, 6–207, and 6–208
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–02
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 137 – Delegates McConkey, Weir, Boteler, Hucker, Holmes, Bobo, and Glenn

AN ACT concerning

Home Financial Accountability Act of 2009

FOR the purpose of clarifying the availability of certain books and records kept by or on behalf of certain common ownership communities for certain purposes and to certain persons; requiring the governing body of certain common ownership communities, on request of a member, unit owner, or lot owner, to compile and send certain information within a certain time; making a stylistic change; altering certain limitations concerning public inspection of certain records; prohibiting certain common ownership communities from imposing certain fees other than a reasonable charge imposed on a person desiring to review or copy certain books and records or who requests delivery of certain information; providing that a charge for copying certain records may not exceed a certain amount; and generally relating to access to the books and records of cooperative housing associations, condominiums, and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6B–18.5
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–116(c) and (d) and 11B–112(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 138 – Delegates Simmons, Shank, and Waldstreicher

AN ACT concerning

Truth in Sentencing Task Force

FOR the purpose of establishing a Truth in Sentencing Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair 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 Truth in Sentencing Task Force.

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

House Bill 139 – Delegates Krebs, Aumann, Bates, Dwyer, Eckardt, Frank, George, Haddaway, King, Miller, Norman, Riley, Shewell, Sossi, Stocksdale, Weldon, and Wood

AN ACT concerning

Transportation Trust Fund – Dedicated Highway Funds

FOR the purpose of providing that certain taxes, fees, charges, and revenues deposited into the Transportation Trust Fund may be used only for certain purposes; repealing certain obsolete provisions; repealing certain provisions relating to the transfer of certain funds from the Transportation Trust Fund to a special fund; and generally relating to dedicated highway funds deposited into the Transportation Trust Fund.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–216
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 140 – Delegates Krebs, Feldman, Aumann, Bates, Dwyer, Eckardt, Frank, George, Haddaway, Hecht, King, Kramer, Miller, Norman, Reznik, Riley, Shewell, Sossi, Stocksdale, Weldon, and Wood

AN ACT concerning

Transportation Trust Fund Protection Act

FOR the purpose of prohibiting the transfer or diversion of funds from the Transportation Trust Fund except under certain circumstances; requiring the Governor to make a certain declaration if funds are transferred or diverted from the Transportation Trust Fund; requiring the enactment of legislation providing for a certain repayment plan before funds are transferred or diverted from the Transportation Trust Fund; and generally relating to limiting transfers or diversions from the Transportation Trust Fund.

BY adding to
Article – Transportation
Section 3–217
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 141 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Contracts Between Insurers and Health Care Providers – Prohibitions

FOR the purpose of prohibiting an insurer and an entity that contracts with health care providers on behalf of an insurer from assigning, transferring, or subcontracting a health care provider's contract to an insurer that offers personal injury protection coverage or workers' compensation insurance under certain circumstances; prohibiting an insurer and an entity that contracts directly with health care providers on behalf of an insurer from terminating, limiting, or otherwise impairing the contract or employment of a health care provider with the insurer under certain circumstances; requiring insurers and entities that contract with health care providers on behalf of insurers to provide certain information to a health care provider at certain times; defining certain terms; and generally relating to contracts between insurers and health care providers.

BY adding to
Article – Insurance
Section 19–115
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 142 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Antifraud Plans

FOR the purpose of making certain provisions of law relating to antifraud plans applicable to health maintenance organizations and third party administrators; authorizing certain insurers, as part of an antifraud plan, to require an insured who is receiving benefits under certain policies to make certain affirmations; requiring certain insurers to make certain disclosures to insureds under certain circumstances; and generally relating to antifraud plans.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 8–321.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–803
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 143 – Delegates Anderson, Doory, Oaks, and Stukes (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Newly Constructed Dwelling Property Tax Credit – Modification and Reauthorization

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish certain maximum limits for a certain property tax credit; authorizing the Mayor and City Council of Baltimore City to establish certain application periods; authorizing the Mayor and City Council of Baltimore City to establish a one–time application amnesty period subject to certain restrictions; altering the termination date applicable to certain provisions; requiring the Mayor and City Council of Baltimore City to establish necessary and appropriate procedures to carry out the property tax credit; and generally relating to the newly constructed dwelling property tax credit in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 144 – Delegates Waldstreicher, Anderson, Barnes, Benson, Carr, Dumais, Haynes, Hecht, Ivey, Kramer, Kullen, Lee, McConkey, Montgomery, Pena–Melnyk, Ramirez, Rosenberg, Ross, Simmons, Tarrant, and Valderrama

AN ACT concerning

Social Services Administration – Children at Substantial Risk of Abuse or Neglect – Identification and Notice

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to provide certain birth record information to the Executive Director of the Social Services Administration in the Department of Human Resources under certain circumstances; requiring the Executive Director to provide certain information regarding certain individuals to the Secretary; requiring the Executive Director to take certain action following the receipt of certain information from the Secretary; providing a certain exception to the confidentiality of certain vital records; and generally relating to the Social Services Administration and children at substantial risk of abuse or neglect.

BY adding to
Article – Health – General
Section 4–222

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–224
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Family Law
Section 5–715
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 145 – Delegates Kach and Boteler

AN ACT concerning

Health Insurance – Dental Provider Panels – Provider Contracts

FOR the purpose of repealing the exception of certain provider contracts for dental provider panels from certain provisions of law; requiring a provider contract for a dental provider panel to disclose the carriers that comprise each provider panel; prohibiting a provider contract for a dental provider panel from containing a provision requiring a provider to accept certain schedules of fees under certain circumstances; prohibiting a provider contract for a dental provider panel from requiring a provider to treat certain enrollees of certain carriers under certain circumstances; providing for the application of this Act; providing for the effective date of this Act; and generally relating to health insurance provider contracts for dental provider panels.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 688 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 146 – Harford County Delegation

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 2008 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 147 – Harford County Delegation

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; providing for the payment of the cost of the audit; requiring the firm by a certain date to provide a copy of a certain portion 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 148 – Calvert County Delegation

AN ACT concerning

Calvert County – Reimbursement of Costs – Authority

FOR the purpose of authorizing Calvert County to seek reimbursement for certain cleanup costs from certain fines collected by the Department of the Environment for certain violations; and generally relating to authorizing Calvert County to seek reimbursement for certain cleanup costs.

BY adding to
Article 25 – County Commissioners
Section 238
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 149 – Delegates Kach and Olszewski

AN ACT concerning

Estates and Trusts – Trust for Care of Animal

FOR the purpose of establishing that the common–law rule against perpetuities does not apply to a certain trust created for the care of an animal alive during the lifetime of the settlor; authorizing the creation of a trust to provide for the care of an animal alive during the lifetime of the settlor; establishing when a certain trust terminates; authorizing a certain person to enforce a certain trust; authorizing a person having an interest in the welfare of an animal the care for which a trust is established to make certain requests to a court; establishing that the property of a certain trust may be applied only to the intended use of the trust, except to the extent the court may make a certain determination; requiring that property not required for the intended use of a certain trust be distributed in a certain manner; and generally relating to trusts for the care of animals.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 11–102
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

BY adding to
Article – Estates and Trusts
Section 14–112
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 150 – Delegates Kach and Olszewski

AN ACT concerning

Education – School Administrators – Reports of Violence to Local Law Enforcement Unit

FOR the purpose of requiring a school administrator to report to a local law enforcement unit certain acts of violence on school property resulting in injuries requiring certain medical attention; requiring certain school administrators to provide a certain notice to a certain county board of education; and generally relating to reporting acts of violence on school property to local law enforcement units.

BY adding to
Article – Education
Section 7–430
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 151 – Delegate Kach

AN ACT concerning

Real Property – Condominiums – Required Insurance Coverage

FOR the purpose of clarifying that the council of unit owners of a condominium is responsible for the repair or replacement of condominium units, exclusive of improvements and betterments installed in units by unit owners, in the event of damage to or destruction of the condominium; clarifying that the council of unit owners is required to maintain certain insurance on a condominium's common elements and units, exclusive of improvements and betterments installed in units by unit owners; making stylistic changes; and generally relating to condominiums and insurance coverage under the Maryland Condominium Act.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–108.1 and 11–114
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 152 – Delegates Kach and Olszewski

AN ACT concerning

Vehicle Laws – Leaving the Scene of an Accident Resulting in Bodily Injury or Death – Mandatory Arrest

FOR the purpose of requiring a police officer to arrest with or without a warrant a person who the police officer has probable cause to believe has committed a certain offense of leaving the scene of an accident resulting in bodily injury or death; making certain conforming changes; and generally relating to the offense of leaving the scene of an accident resulting in bodily injury or death.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 20–102
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–202, 26–203, and 26–402
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 153 – Delegates Kach and Olszewski

AN ACT concerning

Vehicle Laws – Accidents Resulting in Death – Appearance in Court for Traffic Citations

FOR the purpose of requiring a person who receives a traffic citation for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in the citation by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–204
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 154 – Delegates Morhaim, Bronrott, Cardin, Hubbard, Stein, and Weldon

AN ACT concerning

Environment – Green Building Council

FOR the purpose of expanding the responsibilities of the Green Building Council to include providing certain recommendations on how to expand green building; repealing certain obsolete dates; expanding the scope of certain recommendations that the Council is required to make relating to the implementation of a certain building program; and generally relating to the Green Building Council.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 4–809(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 4–809(f) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 155 – Delegates Kach and Boteler

AN ACT concerning

Physicians – Licensure – Liability Insurance Coverage

FOR the purpose of requiring physicians to maintain certain amounts of professional liability insurance as a condition of licensure and notify the Board of Physicians prior to cancellation of the insurance; authorizing the Board to take certain actions if proof of insurance is not provided within a certain time; establishing minimum amounts of required insurance coverage; and generally relating to physicians and liability insurance.

BY adding to
Article – Health Occupations
Section 14–312.1

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–316
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 25)

ADJOURNMENT

At 11:22 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 26, 2009.

Annapolis, Maryland
Monday, January 26, 2009

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 26)

The Journal of January 23, 2009 was read and approved.

EXCUSES:
Del. Jones – funeral
Del. Walkup – illness

INTRODUCTION OF BILLS

House Bill 156 – Delegates Krebs, Aumann, Bates, Boteler, Dwyer, Eckardt, Frank, George, Haddaway, Howard, Miller, Norman, Olszewski, Riley, Schuh, Shewell, Sossi, and Stocksdale

AN ACT concerning

State Property Tax – Homeowner's Property Tax Assessment Cap Reduction

FOR the purpose of altering the maximum homestead property tax credit percentage for the State property tax; providing for the application of this Act; and generally relating to the homestead property tax credit and the State property tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(e)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 157 – Delegates Krebs, Bates, Boteler, Dwyer, George, Haddaway, Howard, Miller, Riley, Schuh, Sossi, Stifler, and Stocksdale

AN ACT concerning

Maryland Death Taxes – Family Property Protection Act

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; 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
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 158 – Delegates Krebs, Aumann, Bates, Boteler, Dwyer, Eckardt, Frank, George, Haddaway, Howard, Miller, Norman, Riley, Shewell, Sossi, Stifler, and Stocksdale

AN ACT concerning

Fairness in Taxation for Retirees Act

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 159 – Delegates Cardin, Bartlett, Benson, Braveboy, Carr, Frick, Gilchrist, Hecht, Rice, Schuler, Stein, and Walkup

AN ACT concerning

Commercial Law – Sending Blank Checks Through the Mail – Recipient Approval

FOR the purpose of prohibiting a person from sending a blank check through the mail without prior approval of the recipient; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; and generally relating to restrictions on sending blank checks through the mail.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 160 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Fraudulent Acts – Insurance Producers and Adjusters

FOR the purpose of altering the circumstances under which it is a fraudulent insurance act for a person to act as or represent to the public that the person is an insurance producer or adjuster in the State; and generally relating to fraudulent insurance acts.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–405
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 161 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Company Action Level Events – Property and Casualty Insurers

FOR the purpose of specifying when a certain company action level event occurs for property and casualty insurers; and generally relating to financial regulation of insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–305(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 162 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Notice of Premium Increase for Commercial and Workers' Compensation Insurance

FOR the purpose of making certain notice requirements applicable to all premium increases for policies of commercial insurance and policies of workers' compensation insurance; clarifying language; and generally relating to premium increases for commercial and workers' compensation insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 163 – Chair, Economic Matters Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Motor Fuel – Dyed Diesel Fuel – Violations

FOR the purpose of establishing certain violations involving the use of dyed diesel fuel in the propulsion tanks of motor vehicles on the highways of the State; and generally relating to the regulation of dyed diesel fuel in the State.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–323.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 164 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Automobile Liability and Homeowner's Insurance – Surcharges, Retiering, and Removal or Reduction of Discounts

FOR the purpose of prohibiting an insurer, with respect to automobile liability insurance and homeowner's insurance, from imposing a surcharge, retiering a risk, or removing or reducing a discount under certain circumstances; and generally relating to automobile liability insurance and homeowner's insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(d)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 165 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Cancellation of Policies – Limitation on Midterm Cancellations

FOR the purpose of prohibiting an insurer from cancelling a policy of personal, commercial, or private passenger motor vehicle liability insurance midterm unless the insurer makes a certain determination; making a certain clarifying change; and generally relating to cancellations of insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance

Section 27–602, 27–603, and 27–613(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–613(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 166 – Delegates Kullen, Bartlett, Beitzel, Bohanan, Bromwell, Cane, G. Clagett, Conway, DeBoy, Eckardt, Haddaway, Hecht, Jameson, Krebs, Levy, Mathias, Murphy, O'Donnell, Rudolph, Shewell, Stull, Weldon, and Wood

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 2008 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 167 – Delegate Cardin

AN ACT concerning

Task Force to Study Charitable and Commercial Gaming Activities in Maryland

FOR the purpose of establishing a Task Force to Study Charitable and Commercial Gaming Activities in Maryland to study and assess certain gaming activities in the State; providing for the membership and staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Charitable and Commercial Gaming Activities in Maryland.

Read the first time and referred to the Committee on Ways and Means.

House Bill 168 – Delegates Anderson, Carter, Rosenberg, and Waldstreicher

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Eligibility to Participate in Drug Treatment Program

FOR the purpose of 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; and generally relating to eligibility of an offender to participate in a drug treatment program.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–607, 5–608, and 5–609
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 169 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Tax Sales – Fees

FOR the purpose of altering the type of expenses for which a holder of a certificate of sale may be reimbursed under certain circumstances; providing for the application of this Act; and generally relating to tax sales.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–843(a)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 170 – Delegates Bobo, Bronrott, Dumais, Gilchrist, Hubbard, Kaiser, Murphy, and F. Turner

AN ACT concerning

Campaign Finance – Affiliated Business Entities – Attributions 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; 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 171 – Delegates G. Clagett, Boteler, Hecht, Robinson, Weldon, and Wood

AN ACT concerning

Business Regulation – Vending Machine Sales – Bulk Vending Machine Exemption

FOR the purpose of exempting from certain licensing requirements the sale or offering for sale of certain merchandise through certain vending machines; and generally relating to an exemption from certain vending machine licensing requirements for the sale or offering for sale of certain merchandise through certain vending machines.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–1902

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–201.1(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 172 – Delegates G. Clagett, Barkley, DeBoy, Hecht, Holmes, Levy, Love, Robinson, Weldon, and Wood

AN ACT concerning

Vehicle Laws – Recklessly Contributing to an Accident in a Highway Work Zone – Penalties

FOR the purpose of establishing that a person is guilty of the misdemeanor of recklessly contributing to an accident in a highway work zone if the person is driving a motor vehicle in a certain manner in a highway work zone and the driving contributes to an accident; establishing the number of points to be assessed for recklessly contributing to an accident in a highway work zone; authorizing a court to find a person charged with recklessly contributing to an accident in a highway work zone guilty of a lesser included offense under certain circumstances; establishing a certain penalty; defining a certain term; making stylistic changes; and generally relating to the operation of a motor vehicle in a highway work zone.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402(a)(23), 21–901.1, and 26–405
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 27–101(cc)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 173 – Delegates Bromwell, Cardin, Costa, DeBoy, Eckardt, Frank, Kach, Kipke, Kullen, McDonough, Montgomery, Morhaim, Niemann,

Oaks, Olszewski, Pena–Melnyk, Rosenberg, Schuh, Shewell, Tarrant, V. Turner, Weir, and Weldon

AN ACT concerning

Health Occupations – Maryland Athletic Trainers Act

FOR the purpose of establishing the Athletic Trainer Advisory Committee as a subunit of the State Board of Physicians; establishing certain fees for services provided by the Board to athletic trainers; providing for the composition, appointment, and terms of the Committee members; establishing certain powers and duties of the Committee; requiring certain persons to be licensed by the Board as athletic trainers before performing certain work in the State; establishing certain education and experience requirements to qualify for a license; establishing certain application fees and requirements for obtaining a license; establishing certain terms and procedures for the renewal and reinstatement of a license; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; establishing certain requirements for reinstatement of a revoked license; providing for certain criminal and civil penalties; establishing certain hearing and appeal procedures for athletic trainers; providing that the Committee is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Committee and statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; providing for the termination of this Act; specifying the terms of the initial members of the Board; and generally relating to the establishment of an athletic trainer license and the Athletic Trainer Advisory Committee.

BY renumbering
Article – State Government
Section 8–403(b)(6) through (68), respectively
to be Section 8–403(b)(7) through (69), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 14–5D–01 through 14–5D–20 to be under the new subtitle "Subtitle 5D. Athletic Trainers"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(6)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 174 – Delegate G. Clagett

AN ACT concerning

Creation of a State Debt – Frederick County – Mental Health Association Building

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 Mental Health Association 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 Appropriations.

House Bill 175 – Delegates Bromwell and Schuler

AN ACT concerning

Consumer Protection – Telephone Directory Listings – Publication of Local Numbers by Nonlocal Businesses

FOR the purpose of prohibiting certain nonlocal businesses from publishing an advertisement containing a local telephone number in certain directories except under certain circumstances; prohibiting certain nonlocal businesses from listing or causing to be listed a local telephone number in certain directories except under certain circumstances; providing that a telephone company or directory provider is not liable for this Act by a nonlocal business; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to the publication of local numbers in telephone directories by nonlocal businesses.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 176 – Delegates Lafferty, Ali, Beidle, Bobo, Bromwell, Carr, Glenn, Healey, Holmes, Hucker, Malone, Niemann, Olszewski, Schuler, and Stein

AN ACT concerning

Bay Restoration Act of 2009

FOR the purpose of prohibiting the installation of an on–site sewage disposal system unless the system utilizes nitrogen removal technology; requiring the Department of the Environment to assist homeowners in paying for certain costs; establishing a certain penalty for a certain violation; defining certain terms; and generally relating to on–site sewage disposal systems with nitrogen removal technology.

BY adding to
Article – Environment
Section 9–1108
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 177 – Delegates Lafferty, O'Donnell, Bohanan, V. Clagett, Holmes, Kullen, Levy, Murphy, and Wood

AN ACT concerning

Natural Resources – Oyster Shell Purchase Program – Fair Market Value

FOR the purpose of requiring the Department of Natural Resources to set, in consultation with the Oyster Advisory Commission and the Tidal Fisheries Advisory Commission, the annual fair market value the Department will pay for

certain oyster shells and for the transport and placement of certain oyster shells under the Oyster Shell Purchase Program; requiring the Department to adopt certain regulations; repealing a certain oyster shell price ceiling under the Program; and generally relating to the Oyster Shell Purchase Program.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1019.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 178 – Delegate Haddaway

AN ACT concerning

Creation of a State Debt – Talbot County – YMCA Fire Safety System Upgrade

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 Young Men's Christian Association of Talbot 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; 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 Appropriations.

House Bill 179 – Delegates Olszewski, Minnick, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Todd's Inheritance

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 County Executive and County Council of Baltimore County 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 Appropriations.

House Bill 180 – Delegates Nathan–Pulliam, Benson, Bronrott, Kullen, Montgomery, and V. Turner

AN ACT concerning

Hereditary and Congenital Disorders – Newborn Screening

FOR the purpose of authorizing a parent or guardian of a newborn to object to a certain newborn screening only under certain circumstances; prohibiting the statewide system for newborn screening to provide an exemption for certain hereditary and congenital disorders; requiring the Department of Health and Mental Hygiene to adopt certain regulations; and generally relating to screening of newborns for hereditary and congenital disorders.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–111
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 181 – Delegates Nathan–Pulliam, Benson, Braveboy, Bromwell, Bronrott, Burns, Conaway, Costa, Donoghue, Elmore, Frush, Glenn, Harrison, Howard, Hubbard, Jones, Kramer, Kullen, Lafferty, Manno, McHale, Montgomery, Murphy, Oaks, Pena–Melnyk, Riley, Robinson, Rosenberg, Stein, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Vaughn, Waldstreicher, Walker, and Weldon

AN ACT concerning

Maryland Cancer Treatment Program

FOR the purpose of establishing the Maryland Cancer Treatment Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to use certain resources from the Maryland Medical Assistance Program; requiring the Maryland Cancer Treatment Program to reimburse providers at a certain rate; requiring the Department to adopt certain regulations; defining a certain term; requiring the Department, in consultation with interested stakeholders, to develop a certain workgroup and report to certain committees of the General Assembly on or before a certain date; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Maryland Cancer Treatment Program.

BY adding to
Article – Health – General
Section 15–901 through 15–905 to be under the new subtitle "Subtitle 9. Maryland Cancer Treatment Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 182 – Delegates Hixson, Rosenberg, Hucker, Mizeur, Ali, Anderson, Barkley, Barnes, Barve, Benson, Bobo, Braveboy, Bronrott, Cane, Dumais, Feldman, Frick, Gaines, Gilchrist, Gutierrez, Healey, Hecht, Hubbard, Ivey, Kaiser, Lafferty, Lee, Manno, McIntosh, Montgomery, Murphy, Nathan–Pulliam, Pena–Melnyk, Ramirez, Reznik, Rice, Smigiel, Stukes, Taylor, Valderrama, Waldstreicher, and Weldon

AN ACT concerning

Freedom of Association and Assembly Protection Act of 2009

FOR the purpose of establishing that it is the public policy of the State zealously to respect and defend certain constitutional rights of certain persons; prohibiting a law enforcement agency from using certain covert techniques to investigate or infiltrate a certain entity unless a certain finding is made; requiring the Department of State Police to adopt certain regulations on or before a certain date; requiring certain law enforcement agencies to adopt certain policies on or before a certain date; requiring certain regulations and policies to include certain requirements; prohibiting a law enforcement agency from collecting, disseminating, or maintaining certain information in a criminal intelligence database unless the information is directly related to certain criminal activity; prohibiting a law enforcement agency from knowingly receiving, disseminating, or maintaining any information that has been obtained in violation of a law; authorizing a law enforcement agency to disseminate certain information to another law enforcement agency only if the information meets certain requirements; specifying that all requests for dissemination of certain information shall be evaluated and approved by the chief of the law enforcement agency receiving the request; requiring the dissemination of certain protected information to be through written transmittal or recorded in a certain manner; requiring a record of each dissemination to be maintained for a certain period of time; prohibiting certain information from being disseminated to certain nonlaw enforcement persons, except as authorized by law; requiring the Department of State Police to report to certain committees of the General Assembly on certain matters on or before a certain date; defining certain terms; and generally relating to investigations of certain entities.

BY adding to

Article – Public Safety
Section 3–701 through 3–704 to be under the new subtitle "Subtitle 7. Investigations of Protest or Advocacy Entities"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 183 – Delegate Holmes

AN ACT concerning

Lottery for Schools Act of 2009

FOR the purpose of requiring the Comptroller to distribute certain lottery proceeds to certain public school systems for certain purposes; specifying that certain lottery proceeds be distributed to the General Fund of the State and used to help fund a certain statewide program for public education; specifying that the proceeds distributed under this Act to a public school system are intended to provide additional revenue for public school systems and may not supplant other revenue distributed to public school systems; making stylistic changes; defining a certain term; and generally relating to the distribution of lottery proceeds to public school systems in the State and to the General Fund of the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 184 – Delegates Hucker, Hixson, Kaiser, Ali, Gilchrist, Ivey, Myers, Olszewski, Rice, and Ross

AN ACT concerning

Education – Maryland's Preschool for All Business Plan – Final Report Requirements

FOR the purpose of requiring the State Department of Education to consult with and accept comments from certain county superintendents and certain local governing bodies regarding the Maryland's Preschool for All Business Plan before preparing and publishing a certain version of a certain Business Plan; requiring the Department to submit to the Governor and General Assembly a copy of a certain report that includes certain information on or before a certain date; defining certain terms; and generally relating to final report requirements for the Maryland's Preschool for All Business Plan.

Read the first time and referred to the Committee on Ways and Means.

House Bill 185 – Delegates Shewell, Aumann, Boteler, Carr, DeBoy, Glenn, Hecht, Heller, Kipke, Kullen, McComas, McDonough, Niemann, Norman, Riley, Robinson, Serafini, Stocksdale, Stull, F. Turner, Valderrama, Walkup, and Weir

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

FOR the purpose of requiring a manufacturer of certain home appliances, its agent, or its authorized dealer to repair or correct a nonconformity in a home appliance at no cost to the consumer if the home appliance does not conform to all applicable warranties during a certain warranty period; providing that a manufacturer's obligation to repair or correct a nonconformity under this Act applies only if the consumer satisfies certain conditions; requiring a manufacturer, under certain circumstances and at the option of the consumer, to replace a home appliance with a comparable home appliance or accept return of a home appliance and refund the purchase price less certain reasonable allowances; requiring that a refund of the purchase price be made to the consumer and any holder of a perfected security interest in the home appliance in a certain manner; providing that the manufacturer is responsible for the cost of returning a home appliance to the manufacturer; providing for certain affirmative defenses; establishing a certain presumption; providing for the extension of the term of a warranty, a certain warranty period, and a certain out–of–service period if repair services are not available for certain reasons; providing that this Act does not limit the rights and remedies that otherwise are available to a consumer under any other law; providing that a consumer is not required to resort to a certain informal dispute settlement procedure before certain provisions of this Act apply; providing that a consumer who resorts to an informal dispute resolution procedure may not be precluded from seeking other available remedies; providing that an agreement for the purchase of a home appliance is void to the extent that it attempts to waive, limit, or disclaim certain rights of a consumer; providing that a manufacturer that fails to comply with certain provisions of this Act is liable to the consumer for certain damages; authorizing a court to award reasonable attorney's fees to a prevailing plaintiff in an action brought under this Act; authorizing a court to order a party to pay to the other party

reasonable attorney's fees if it appears that an action is brought in bad faith or is frivolous in nature; requiring that an action brought under this Act be brought within a certain time; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; prohibiting a consumer who recovers damages under certain provisions of this Act from recovering damages for the same violation under a certain provision of the Maryland Consumer Protection Act; providing for the application of this Act; defining certain terms; and generally relating to home appliances and the enforcement of warranties on home appliances.

BY adding to
Article – Commercial Law
Section 14–15A–01 through 14–15A–08 to be under the new subtitle "Subtitle 15A. Home Appliance Warranty Enforcement Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 186 – Delegates Shewell, Schuh, Aumann, Bates, Beitzel, Boteler, Carr, Dwyer, Eckardt, George, Impallaria, Kach, Krebs, Kullen, Love, Manno, McComas, McDonough, Miller, Riley, Serafini, Stocksdale, Stull, Walkup, and Weir

AN ACT concerning

Real Property – Condemnation Proceedings – Valuation of Property

FOR the purpose of establishing that damages awarded for the taking of property used for a business may include certain damages for the loss of goodwill under certain circumstances; including certain costs in calculating diminution of value for certain property; making stylistic changes; altering a certain definition; defining a certain term; and generally relating to the valuation of property in a condemnation proceeding.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 12–104(a) and 12–105(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 12–104(h)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–105(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 187 – Delegates Shewell, Beidle, Hecht, Heller, Niemann, Riley, Robinson, F. Turner, Valderrama, and Walkup

AN ACT concerning

Vehicle Laws – Bicycles and Motor Scooters – Protective Headgear

FOR the purpose of prohibiting a person from operating or riding as a passenger on a motor scooter unless the person is wearing certain protective headgear; expanding the requirement that certain bicycle operators or passengers wear certain protective headgear to apply to all persons; clarifying that the defined term "bicycle" includes a moped; and generally relating to protective headgear requirements for operators or passengers on a bicycle or motor scooter.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104 and 21–1207.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.1 and 11–134.5
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 188 – Delegates Shewell, Aumann, Boteler, Costa, Eckardt, Frank, Frush, George, Impallaria, Jennings, Kach, Love, McComas, Myers, Riley, Robinson, Serafini, Shank, Stocksdale, Stull, Walkup, and Weir

AN ACT concerning

Property Tax – Assessment Freeze and Annual Reassessment

FOR the purpose of altering the triennial assessment cycle for real property for property tax purposes to an annual assessment cycle; requiring the State

Department of Assessments and Taxation to review certain real property assessments each year and to physically inspect the exterior of certain real property at least once every three years as part the review; altering the maximum homestead property tax credit percentage for the State, county, and municipal property tax for a certain year; providing for the application of this Act; repealing certain obsolete provisions; providing for the termination of certain provisions of this Act; and generally relating to the valuation and assessment of real property for property tax purposes and the homestead property tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 1–402(9) and (11), 2–203, 8–103, 8–104, 8–401, and 9–105(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 189 – Delegates Morhaim, Cardin, and Hubbard

AN ACT concerning

Respiratory Illness Prevention Act

FOR the purpose of prohibiting the operation of a public school bus on or after a certain date if the bus does not have certain diesel emission control equipment; requiring a certain percentage of public school buses in a fleet to have certain diesel emission control equipment before a certain date; requiring a county to include a certain contract clause in public school bus transportation contracts; providing for an extension of the deadline for public school buses to have the required equipment under certain circumstances; prohibiting the application of a certain equipment requirement if the Department of the Environment makes certain findings; prohibiting the venting of crankcase emissions from a public school bus after a certain date; authorizing compliance of the prohibition on venting of crankcase emissions to be accomplished by certain means; requiring the Department of the Environment to adopt certain regulations regarding the venting of crankcase emissions; requiring the Director of the Asthma Control Program to include installation of diesel emissions control equipment on public school buses in the statewide asthma control plan; requiring the Asthma Control Program to identify and promote certain educational programs for students; requiring the Asthma Control Program to set up a certain grant program; requiring the grants to be used for the installation of diesel emission control equipment on public school buses; requiring the grants to be funded by certain federal and State funds; requiring a unit to require that certain information regarding diesel emissions control equipment be included in a bid for a certain State contract; requiring certain State procurement contracts to include certain clauses regarding diesel emissions control equipment; requiring

the State to reimburse a certain contractor a certain percentage of the cost of installing certain diesel emissions control equipment on certain construction equipment and vehicles; requiring that the reimbursement be paid from certain federal and State funds; defining certain terms; and generally relating to the installation of diesel emissions control equipment.

BY adding to
Article – Education
Section 7–808
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–301
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–1701, 13–1702, 13–1703, and 13–1706
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1704 and 13–1705
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–205
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Finance and Procurement
Section 13–218.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Ways and Means.

House Bill 190 – Delegate Stifler

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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 191 – Delegates Aumann, Barkley, Bates, Boteler, Braveboy, Carter, G. Clagett, DeBoy, Dwyer, Eckardt, Elmore, Frank, Gaines, George, Griffith, Haddaway, Holmes, Howard, James, Jennings, Krebs, Kullen, Lafferty, Love, McComas, McDonough, McHale, Minnick, Olszewski, Pena–Melnyk, Proctor, Robinson, Shewell, Smigiel, Sophocleus, Sossi, Stein, Stocksdale, Stukes, Weir, and Wood

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 2008 Supplement)

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

House Bill 192 – Delegates Shewell, Aumann, Bartlett, Beidle, Boteler, Carr, DeBoy, George, Glenn, Hecht, Heller, Jameson, Kach, Kramer, Krebs, Levy, Love, McComas, McDonough, Miller, Minnick, Nathan–Pulliam,

Norman, Riley, Robinson, Serafini, Shank, Sophocleus, Stocksdale, Stull, F. Turner, Walkup, and Weir

AN ACT concerning

Silver Alert Program – Missing Individuals with Cognitive Impairments

FOR the purpose of establishing a certain statewide alert program within the Department of State Police; providing for the purpose of the alert program; requiring the Department to adopt guidelines and develop procedures for issuing a certain alert for a certain missing individual; requiring the Department to provide training to local law enforcement agencies on the guidelines and procedures to be used to handle a report of a certain missing individual; requiring the Department to provide assistance to a local law enforcement agency as necessary to assist in the safe recovery of certain missing individuals; requiring the Department to recruit certain persons to assist in developing and implementing a certain alert program; providing for the construction of this Act; defining certain terms; and generally relating to the establishment of a Silver Alert Program for missing individuals with cognitive impairments.

BY adding to
Article – Public Safety
Section 3–604
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 193 – Delegates Love and Kullen

AN ACT concerning

Gaming – Instant Bingo – Extension of Sunset

FOR the purpose of extending the termination date for the authority for the operation of certain instant bingo games using electronic machines; repealing a certain obsolete requirement; and generally relating to instant bingo operations.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 12–301
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 474 of the Acts of the General Assembly of 2008

Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 194 – Delegates G. Clagett, Dwyer, and Weldon

AN ACT concerning

Land Use – Development Rights and Responsibilities Agreements

FOR the purpose of altering the time period after which a certain development rights and responsibilities agreement will be void under certain circumstances; providing that a certain local jurisdiction may not enforce certain laws, rules, regulations, or policies governing the use, density, or intensity of certain real property subject to a certain agreement unless certain circumstances exist; and generally relating to development rights and responsibilities agreements.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 13.01
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 195 – Delegates George, Aumann, Bartlett, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Burns, Cane, G. Clagett, Conaway, Costa, DeBoy, Dwyer, Eckardt, Elliott, Elmore, Frank, Haddaway, Impallaria, James, Jameson, Jennings, Kach, Kelly, King, Kipke, Krebs, Kullen, Levy, Love, Mathias, McComas, McConkey, McDonough, Miller, Minnick, Myers, Norman, O'Donnell, Olszewski, Riley, Rudolph, Schuh, Schuler, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stocksdale, Stull, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Vehicle Laws – Proof of Lawful Presence Act of 2009

FOR the purpose of requiring the Motor Vehicle Administration to issue an identification card or a moped operator's permit to an individual who, in addition to meeting certain other requirements, provides certain documentation certifying that an individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; prohibiting the Administration from issuing a driver's license to an individual who cannot provide certain documentation certifying that the individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; providing that the effective term of an identification card, driver's

license, or moped operator's permit issued to a certain individual may not exceed the time that the individual is authorized to remain in the United States in accordance with federal law; altering a certain provision that requires a driver's license application to include a Social Security number to apply only to an applicant who is eligible for a Social Security number; requiring an applicant for a driver's license who is not eligible for a Social Security number to provide certain documentation to the Administration; requiring an applicant for a driver's license to submit certain documentation with the application; clarifying language; and generally relating to the issuance of driver's licenses, moped operator's permits, and identification cards and proof of lawful presence in the United States.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–128 and 16–106(a), (b), and (e)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(a) and (i), 16–103.1, 16–104.2, 16–106(c), and 16–115(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–106(e)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 196 – The Speaker

EMERGENCY BILL

AN ACT concerning

Judicial Compensation Commission

FOR the purpose of providing that for the 2009 Session of the General Assembly only, the failure of the General Assembly to pass the joint resolution of the Judicial Compensation Commission by a certain day of that session may not be deemed to have made effective the salary increases recommended in the joint resolution; providing that the Commission shall, beginning in 2009 and every 4 years thereafter, meet to review judicial salaries and pensions and make written recommendations to the Governor and the General Assembly; making this Act

an emergency measure; and generally relating to judicial compensation and the Judicial Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–708
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 197 – Delegates G. Clagett, Barkley, Boteler, Dwyer, Hecht, Kullen, Levy, Robinson, Stocksdale, and Wood

AN ACT concerning

Real Property – Installation and Use of Clotheslines on Residential Property

FOR the purpose of providing that a certain provision of this Act regarding the regulation of clotheslines by a local legislative body applies to charter counties and Baltimore City; prohibiting a local legislative body from prohibiting the installation or use of clotheslines on certain residential property; providing that a contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property may not prohibit a homeowner or tenant from installing or using clotheslines on certain residential property; providing that a homeowner or tenant may not be prohibited from installing or using clotheslines on certain residential property, regardless of the terms in any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property; providing that this Act does not prohibit reasonable restrictions, for certain purposes, on the dimensions, placement, or appearance of clotheslines; defining certain terms; and generally relating to residential property and the placement of clotheslines on residential property.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02(b) and 2.13(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 14–130
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 198 – Delegate Elmore

AN ACT concerning

Somerset County – Fire Company – Appropriations

FOR the purpose of requiring the County Commissioners of Somerset County to appropriate to certain organized volunteer fire companies in the county certain amounts for certain fiscal years; requiring that the appropriations required for a certain fiscal year remain in effect for subsequent fiscal years unless altered by a future enactment; and generally relating to appropriations for organized volunteer fire companies in Somerset County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 2–304
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2007 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 199 – Delegates Carr, Ali, Anderson, Barkley, Carter, V. Clagett, Feldman, Gilchrist, Glenn, Griffith, Healey, Hecht, Holmes, James, Jennings, Kaiser, Lafferty, Manno, Montgomery, Morhaim, Niemann, Norman, Reznik, Rice, Riley, Rudolph, Shewell, Simmons, Sossi, Stifler, F. Turner, Valderrama, Waldstreicher, and Weldon

AN ACT concerning

Maryland Transit Administration – Public Hearings

FOR the purpose of prohibiting the Administration from changing a bus timetable or certain bus or rail service until a public hearing is held on the matter; altering the time period during which the Administration may implement a policy change on certain matters; requiring the Administration to revise, correct, and reissue certain notice and to provide notice to certain persons under certain circumstances; providing that certain notice shall be deemed defective; and

generally relating to public hearings held by the Maryland Transit Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–506
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 200 – Delegate Carter

EMERGENCY BILL

AN ACT concerning

Maryland Uniform Prudent Management of Institutional Funds Act

FOR the purpose of repealing certain provisions of law relating to the management of institutional funds; establishing the Maryland Uniform Prudent Management of Institutional Funds Act; establishing a standard of conduct in managing and investing a certain institutional fund; authorizing a certain institution to appropriate for expenditure or accumulate so much of a certain endowment fund as the institution determines is prudent for certain purposes; requiring the institution to consider certain factors in making a certain determination; providing certain rules of construction; providing for the delegation of certain management and investment functions; establishing how certain restrictions on the management, investment, or purpose of an institutional fund may be released or modified; requiring that compliance with this Act be determined in a certain manner; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; defining certain terms; making this Act an emergency measure; and generally relating to the management of institutional funds.

BY repealing
Article – Estates and Trusts
Section 15–401 through 15–409
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

BY adding to
Article – Estates and Trusts
Section 15–401 through 15–410 to be under the amended subtitle "Subtitle 4. Maryland Uniform Prudent Management of Institutional Funds Act"
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 2 – The Speaker

A House Joint Resolution concerning

Judicial Compensation Commission – Recommendations

FOR the purpose of proposing an alteration to the compensation of the members of the Judiciary in this State in accordance with Section 1–708 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 27)

ADJOURNMENT

At 8:33 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 27, 2009.

Annapolis, Maryland
Tuesday, January 27, 2009

The House met at 10:25 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 28)

The Journal of January 26, 2009 was read and approved.

EXCUSES:
Del. King – business
Del. Oaks – dentist appointment
Del. Proctor – doctor's appointment

INTRODUCTION OF BILLS

House Bill 201 – Delegate Frush

AN ACT concerning

Education – Student Discipline – Alternative Education Program

FOR the purpose of authorizing a juvenile court to order a certain child to attend a certain juvenile justice alternative education program under certain circumstances; providing for the termination of this Act; and generally relating to student discipline.

BY adding to
Article – Education
Section 7–305.1
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 202 – Delegates Cardin, Anderson, Carter, Schuler, and Simmons

AN ACT concerning

Criminal Appeals – District Court – Stay of Sentence and Release

FOR the purpose of requiring, in a criminal appeal from a final judgment in District Court, that the District Court stay service of a sentence of imprisonment and release a defendant under certain circumstances; authorizing the District Court to impose conditions for release of the defendant or deny release of the defendant pending appeal in accordance with the Maryland Rules; requiring the District Court to state its reasons in writing or on the record for denying release of the defendant; authorizing a defendant to seek review of the District Court's decision in accordance with certain provisions of law and the Maryland Rules; providing for the application of this Act; and generally relating to a stay of sentence and release of a defendant in a criminal appeal from a District Court judgment.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–702(a) and 12–401(b)(2), (d)(1), (f), and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 12–401(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 203 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Forest Conservation Fund – Authorized Uses – Street Side Shrub Planting

FOR the purpose of authorizing certain State and local authorities to use the Forest Conservation Fund to fund the planting of shrubs and similar plants along streets and in medians if the Department of Natural Resources determines that the planting of trees is not practicable in these areas; and generally relating to the use of the Forest Conservation Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1610
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 204 – Delegates Bronrott, Frick, Lee, Barkley, Carr, Feldman, Heller, Hixson, Hucker, Kramer, Manno, Mizeur, Rice, and Waldstreicher

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, 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 Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 29)

ADJOURNMENT

At 10:41 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 28, 2009.

Annapolis, Maryland
Wednesday, January 28, 2009

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Carolyn J.B. Howard of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 30)

The Journal of January 27, 2009 was read and approved.

EXCUSES:
Del. Bronrott – illness
Del. Impallaria – personal
Del. McDonough – inclement weather – ice
Del. Sophocleus – inclement weather – ice

INTRODUCTION OF BILLS

House Bill 205 – Delegate Holmes

AN ACT concerning

Education – Public Schools – Mandatory School Uniforms

FOR the purpose of requiring that each county board of education develop a county school uniform policy; requiring a county board to establish the policy in consultation with certain persons; requiring the State Superintendent of Schools to adopt certain regulations; requiring that conformance with and enforcement of the uniform policy comply with certain regulations and laws; requiring the State Superintendent to develop certain standards, appropriate procedures, and guidelines; and generally relating to mandating school uniforms.

BY adding to
Article – Education
Section 4–127
Annotated Code of Maryland

(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 206 – Delegates Carr and Waldstreicher

SECOND PRINTING

AN ACT concerning

Maryland Transit Administration Study – New West Silver Spring Commuter Rail Station

FOR the purpose of requiring the Maryland Transit Administration to conduct a certain study related to adding a new Maryland Area Regional Commuter (MARC) Train station in a certain location and to submit a certain report to the Governor and the General Assembly by a certain date; and generally relating to a study on adding a new MARC Train station.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 207 – Delegates Sophocleus, Aumann, Barkley, Beidle, Boteler, Cane, Costa, DeBoy, Dwyer, Elmore, Frush, Holmes, Jameson, Krebs, Love, Mathias, McConkey, McDonough, Shewell, Sossi, and Wood

EMERGENCY BILL

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 of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing for the applicability of the record–keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; authorizing certain law enforcement units to issue certain waivers under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing a catalytic converter except under certain circumstances; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; establishing that certain items of junk or scrap metal are subject to a certain holding period; exempting certain items acquired from certain entities from a certain holding requirement; authorizing certain law

enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; providing that this Act may not be construed to preempt a certain entity from enacting and enforcing certain measures; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Regulation
Section 17–1001(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 208 – Delegates Hucker, Ali, Barkley, Barve, Beidle, Bobo, Burns, Conaway, Dumais, Feldman, Frush, Gilchrist, Gutierrez, Harrison, Hubbard, King, Kipke, Krysiak, Lafferty, Love, Manno, McComas, Minnick, Montgomery, Reznik, Rice, Smigiel, Stein, Tarrant, Taylor, and Waldstreicher

AN ACT concerning

Consumer Protection – Fur Labeling Requirements for Articles of Clothing

FOR the purpose of prohibiting a merchant from displaying for sale, offering for sale, or selling an article of clothing made wholly or partly from animal fur unless a label or tag is attached to the article of clothing identifying certain names of animals and certain countries of origin; exempting a merchant who displays for sale, offers for sale, or sells a used article of clothing made wholly or partly from animal fur; authorizing certain identification information to be added to a certain label or tag or affixed in a certain manner to an article of clothing; exempting a merchant from liability under certain circumstances; authorizing the Attorney General to initiate a certain civil action and recover certain penalties; providing that each article of clothing that is not labeled or tagged in accordance with this Act constitutes a separate violation; defining certain

terms; providing for a delayed effective date; and generally relating to fur labeling requirements for articles of clothing.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 209 – Delegates Barkley, Ali, Barve, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Gutierrez, Heller, Hixson, Hucker, Kaiser, Kramer, Lee, Manno, Mizeur, Montgomery, Reznik, Rice, Simmons, Taylor, and Waldstreicher

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt in the amount of $275,000, the proceeds to be used as a grant to the Board of Directors of Residential Continuum, 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 Appropriations.

House Bill 210 – Delegates Sophocleus, Barkley, Beidle, DeBoy, Dwyer, Frush, Harrison, Krebs, McDonough, Schuh, Shewell, and Wood

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 Judiciary.

House Bill 211 – Delegates Frick, Barve, Cardin, Doory, Feldman, Gilchrist, Hixson, Ivey, Kaiser, Murphy, Olszewski, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Income Tax – Banks – Treatment of Losses on Loans and Bad Debts After Change of Ownership

FOR the purpose of requiring certain addition or subtraction modifications to federal adjusted gross income of an individual or federal taxable income of a corporation under the Maryland income tax to reflect the treatment of certain items of deduction or loss allowed to a bank after an ownership change without regard to a certain notice issued by the Internal Revenue Service; providing for the application of this Act; and generally relating to certain modifications under the Maryland income tax relating to the treatment of certain items of deduction or loss allowed to a bank under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–210.1(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–310
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 212 – Delegates Anderson, Jameson, Levy, and Murphy

AN ACT concerning

Vehicle Laws – Preliminary Breath Test – Evidence

FOR the purpose of providing that the results of a certain preliminary breath test may be used as evidence by the State to establish probable cause to arrest a person; making stylistic changes; and generally relating to the use by the State of the

results of a certain preliminary breath test to establish probable cause to arrest a person.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 213 – Delegates Simmons, Dumais, Lee, McComas, and Waldstreicher

AN ACT concerning

Domestic Violence – Attorney's Fees – Pro Bono Attorneys

FOR the purpose of specifying that a final protective order may include a provision requiring the respondent to pay reasonable attorney's fees, including fees to an attorney or organization providing pro bono legal services; and generally relating to final protective orders and attorney's fees.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 214 – Delegates Barnes, Dumais, and Hecht

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 2008 Supplement)

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

House Bill 215 – Calvert County Delegation

AN ACT concerning

Calvert County – Gaming Events – Bingo and Raffles

FOR the purpose of adding a bona fide educational organization to the list of organizations that may conduct gaming events under certain circumstances in Calvert County; specifying that a certain organization may conduct a bingo game or raffle without a permit under certain circumstances; and generally relating to gaming in Calvert County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–703
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 216 – Calvert County Delegation

AN ACT concerning

Calvert County – Treasurer – Animal Control Ordinance Fines

FOR the purpose of requiring certain fines issued in accordance with certain Calvert County ordinances to be paid to the Calvert County Treasurer; making technical corrections; and generally relating to the payment of fines for violations of animal control ordinances in Calvert County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–504(p)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 217 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages

FOR the purpose of altering certain alcoholic beverages license fees in Calvert County; creating a special beer, wine, and spirits tasting (BWST) license in the county; providing for annual fees, 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 certain fines 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; providing that this Act does not apply to the salary or compensation of the incumbent 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) and (f), 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–401(f), 5–101(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 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–404.1A
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 218 – Delegate Beitzel

AN ACT concerning

Garrett County – Sanitary Commission – Collection of Unpaid Benefit Assessments

FOR the purpose of authorizing the sanitary commission in Garrett County to take certain action to enforce the collection of certain unpaid benefit assessments or

other charges; and generally relating to the powers of the sanitary commission in Garrett County.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–658(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–658(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 219 – Delegate Beitzel

AN ACT concerning

Tax – Property – Assessment and Valuation – Forest Conservation and Management Agreement

FOR the purpose of providing that woodland subject to a certain agreement may not be reassessed when less than a certain number of acres is timbered and the owner agrees the land will remain open space; making a technical correction; and generally relating to the reassessment of certain woodland that is timbered.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–211(a) and (i)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 8–211(f) and (h)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 220 – Delegates Carr, Ali, Healey, Montgomery, and Shewell

AN ACT concerning

Municipal Corporations – Annexations – Small Parcels

FOR the purpose of providing that certain consent provisions and certain referendum provisions do not apply to a proposed annexation by a municipal corporation of a parcel that is a certain acreage or less and is part of a lot that contains certain parcels under certain circumstances; prohibiting a municipal corporation from annexing a certain maximum number of acres under this Act; providing for the termination of this Act; and generally relating to annexations by municipal corporations.

BY repealing and reenacting, without amendments,
Article 23A – Corporations – Municipal
Section 19(a) and (b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 23A – Corporations – Municipal
Section 19(t)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 221 – Delegates Elliott and Stull

AN ACT concerning

Bay Restoration Fund – Disbursement of Funds

FOR the purpose of altering the percentage of funds that are used for purposes relating to onsite sewage disposal systems; altering the percentage of certain funds from the Bay Restoration Fund that are disbursed to fund cover crop activities; and generally relating to the disbursement of funds from the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(b)(1) and (h)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 222 – Allegany County Delegation

AN ACT concerning

Allegany County – Video Lottery Construction – Local Impact Grants – Rocky Gap Construction Costs

FOR the purpose of authorizing local impact grants from proceeds of certain video lottery terminals to be used in Allegany County for certain purposes and to pay down certain debt incurred by the county in the construction and related costs for the golf course, lodge, and other improvements in Rocky Gap State Park; and generally relating to video lottery gaming and local impact grants from gaming proceeds 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–31(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 223 – Delegate Costa

AN ACT concerning

State or Local Retirement or Pension Systems – Military Service Credit

FOR the purpose of increasing the amount of credit certain members of the State Retirement and Pension System may receive for certain military credit; providing that certain members of local retirement or pension systems receive at least a certain amount of service credit for certain military service if the members meet certain criteria established by the local retirement or pension system; defining a certain term; providing for the application of this Act; and generally relating to the receipt of military service credit in a State or local retirement or pension system.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 38–104.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 224 – Allegany County Delegation

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Sunset Repeal

FOR the purpose of repealing a certain termination provision relating to motor vehicle and bicycle racing events; and generally relating to motor vehicle and bicycle racing events.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1211
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 211 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Environmental Matters.

House Bill 225 – Calvert County Delegation

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 $24,613,000 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 Appropriations.

House Bill 226 – Delegates Beitzel, Bates, Boteler, Eckardt, Elmore, Frank, Haddaway, McComas, Miller, Myers, Norman, Riley, Serafini, Shewell, Smigiel, Sossi, Stifler, and Stull

AN ACT concerning

State Capital Projects – High Performance Buildings – Green Globe Rating

FOR the purpose of altering the definition of "high performance building" for purposes of certain requirements for certain State capital projects to include a building that achieves at least a certain globe rating; and generally relating to the construction and renovation of high performance buildings by the State.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1(a)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 227 – Delegate Elmore

AN ACT concerning

Somerset County – Liquor Control Board – Borrowing Limit

FOR the purpose of increasing to a certain limit the aggregate sum of money that may be advanced to or borrowed by the Somerset County Liquor Control Board for

certain purposes; and generally relating to the Somerset County Liquor Control Board.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–202(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 228 – Calvert County Delegation

AN ACT concerning

Calvert County – Regulation of Tattoo Artist and Body–Piercing Services

FOR the purpose of authorizing the County Commissioners of Calvert County to adopt certain ordinances pertaining to tattoo artist or body–piercing services; requiring the Calvert County Health Department to enforce certain ordinances; and generally relating to tattoo artist and body–piercing services.

BY adding to
Article 25 – County Commissioners
Section 256 to be under the new subheading "Regulation of Tattoo Artist and Body–Piercing Services"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 229 – Delegate Morhaim

AN ACT concerning

Prescribers – Controlled Dangerous Substances – Exemption from Registration

FOR the purpose of providing that a person is not required to be registered by the Department of Health and Mental Hygiene to prescribe a controlled dangerous

substance in the State; altering a certain definition; and generally relating to the prescribing of controlled dangerous substances and registration with the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(a) and (i)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–101(k) and 5–301
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 230 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Barbara Ingram School for the 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 Hagerstown Neighborhood Development Partnership, 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 Appropriations.

House Bill 231 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Doleman Black Heritage Museum

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 Doleman

Black Heritage 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 Appropriations.

House Bill 232 – Delegates McConkey, Bartlett, Bates, Boteler, Cane, Dwyer, Eckardt, Elliott, Elmore, Frank, Holmes, Kramer, McComas, Minnick, Norman, Shewell, Sophocleus, Stocksdale, Stull, and Weir

AN ACT concerning

Credit Regulation – Mortgage Lending – Borrower's Ability to Repay Loan

FOR the purpose of clarifying the application of certain provisions of law that prohibit a lender from making a mortgage loan without giving due regard to the borrower's ability to repay the loan; providing that certain provisions of law that prohibit a lender from making a secondary mortgage loan without giving due regard to the borrower's ability to repay the secondary mortgage loan do not apply to a secondary mortgage loan for real property located in Maryland that is held primarily for rental, investment, or the generation of income through any commercial or industrial purpose; stating the purpose of certain provisions of this Act; and generally relating to mortgage loans.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 11–501(c), (d), (k), and (m)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–127, 12–925, and 12–1029
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–311 and 12–409.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)
(As enacted by Chapters 7 and 8 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Economic Matters.

House Bill 233 – Delegates Ali, Beidle, V. Clagett, Glenn, Healey, Holmes, Lafferty, Niemann, Shewell, Sossi, Stein, and Weir

AN ACT concerning

Full Disclosure of Real Estate Taxes Act

FOR the purpose of requiring the State Department of Assessments and Taxation to maintain a certain website through which a person may estimate certain property taxes; requiring that the website be made available to the public by a certain date; requiring that a certain form developed by the State Real Estate Commission contain a certain notice; and generally relating to certain property taxes.

BY adding to
Article – Tax – Property
Section 2–218.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 10–702(b) and (f)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 10–702(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 234 – Delegates Tarrant, Robinson, and Conaway

AN ACT concerning

Creation of a State Debt – Baltimore City – Healthy Start Client Service Center

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 Appropriations.

House Bill 235 – Delegates Tarrant, Bromwell, Kullen, V. Turner, and Weldon

AN ACT concerning

Health Insurance – Rescission of Contracts and Certificates – Restrictions

FOR the purpose of prohibiting certain carriers from rescinding a contract or certificate under certain circumstances; requiring the carrier to have the burden of persuasion that a rescission complies with certain provisions of this Act; applying certain provisions of this Act to health maintenance organizations; defining certain terms; providing for the application of this Act; and generally relating to the rescission of health insurance contracts and certificates.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–1105 to be under the amended subtitle "Subtitle 11. Miscellaneous Health Insurance Policies and Contracts and Health Benefit Plans"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 236 – Delegates Oaks, Anderson, Carter, Conaway, Glenn, Harrison, Haynes, Holmes, Hubbard, Malone, Nathan–Pulliam, Robinson, Rosenberg, Stukes, Tarrant, and Walker

AN ACT concerning

Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing

FOR the purpose of altering the requirements for certain property owners to satisfy certain lead risk reduction standards relating to certain changes in occupancy in certain properties; requiring certain lead risk reduction standards to be performed in accordance with certain requirements; making certain conforming changes; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–815(a) and (b), 6–816, and 6–819(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing
Article – Environment
Section 6–819(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 237 – Delegates Waldstreicher, Anderson, Barnes, Dumais, Frick, Lee, Ramirez, Schuler, Simmons, Smigiel, Valderrama, and Vallario

AN ACT concerning

Health Care Malpractice – Noneconomic Damages

FOR the purpose of altering certain limitations on noneconomic damages for a personal injury action and a wrongful death action concerning health care malpractice for a cause of action arising on or after a certain date; and generally relating to noneconomic damages in personal injury 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 2008 Supplement)

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

House Bill 238 – Delegates Tarrant, Anderson, Bronrott, Burns, Cardin, Carr, Frick, Glenn, Holmes, Hucker, McHale, Murphy, Nathan–Pulliam, Olszewski, Robinson, Ross, Schuh, Stukes, Taylor, Valderrama, and Walker

AN ACT concerning

Cigars – Sales of Less Than Four Per Package – Prohibited

FOR the purpose of prohibiting certain retailers from purchasing from certain manufacturers or wholesalers, or selling, reselling, distributing, dispensing, or

giving away to certain persons, a package of cigars containing less than a certain number of cigars; prohibiting certain wholesalers from selling, reselling, distributing, dispensing, or giving away to certain persons a package of cigars containing less than a certain number of cigars; requiring the Comptroller to enforce this Act; requiring the Comptroller to employ certain persons to enforce this Act; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to cigars.

BY adding to
Article – Commercial Law
Section 11–5B–01 through 11–5B–04 to be under the new subtitle "Subtitle 5B. Cigar Sales of Less Than Four Per Package"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

EMERGENCY BILL

AN ACT concerning

Medicare Supplement Plan A Policies – Individuals with a Disability – Rates

FOR the purpose of requiring a carrier, under certain circumstances, to make available a Medicare supplement policy plan A to an individual who is eligible for Medicare due to a disability; prohibiting a carrier from charging individuals who, regardless of age, are eligible for Medicare due to a disability a higher rate for a Medicare supplement policy plan A than the rate charged by the carrier to certain individuals who are eligible for Medicare due to age; prohibiting a carrier from taking certain actions relating to a Medicare supplement policy plan A for certain reasons if an individual applies for the policy plan within a certain time period; making this Act an emergency measure; and generally relating to Medicare supplement plan A policies under health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–909(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

MESSAGE TO THE SENATE

January 28, 2009

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 Thursday, January 29, 2009 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 Frick and Haddaway 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 Rice, Ivey and Frank.

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 Valderrama, Haynes and Beitzel.

BY ORDER,

MARY MONAHAN
CHIEF CLERK

Read and adopted.

MESSAGE FROM THE SENATE

January 28, 2009

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 Thursday, January 29, 2009 at 12:00 Noon, and your proposal of 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, Kittleman and Gladden 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 McFadden, Jacobs and Kramer to escort the Lt. Governor to the House Chamber.

By Order,
William B.C. Addison, Jr.
Secretary of the Senate

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 31)

ADJOURNMENT

At 10:21 A.M. on motion of Delegate Barve the House adjourned until 11:45 A.M. on Thursday, January 29, 2009.

Annapolis, Maryland
Thursday, January 29, 2009

The House met at 11:46 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James E. Proctor, Jr. of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 32)

The Journal of January 28, 2009 was read and approved.

EXCUSES:
Del. Bohanan – congressional business/out of country
Del. Cane – business
Del. Glenn – funeral
Del. Vallario – personal

INTRODUCTION OF BILLS

House Bill 239 – Delegates Taylor, Waldstreicher, Bronrott, Feldman, and Kaiser

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Montgomery County – The Arc of Montgomery County Group Homes

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose and change the location of The Arc of Montgomery County Group Homes project from Rockville to Montgomery County.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA01) (BQ) and (ZA02) (BB)

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

House Bill 240 – Delegates Gilchrist, Barkley, Bartlett, Cardin, Carr, Feldman, Frush, George, Guzzone, Heller, Holmes, Hucker, Ivey, Jennings, Manno, Mathias, Montgomery, Murphy, Olszewski, Pena–Melnyk, Schuler, Serafini, Stein, Tarrant, Waldstreicher, and Weldon

AN ACT concerning

Income Tax Exemption Amounts – Blind and Elderly Individuals

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 241 – Delegates Taylor, Boteler, Carr, Hucker, Kaiser, Krebs, Montgomery, Robinson, Shewell, Stocksdale, and V. Turner

AN ACT concerning

State Finance – Purchasing and Use of Motor Vehicles

FOR the purpose of requiring that the standards for the purchase of motor vehicles for State use be based on a certain determination by the Secretary of Budget and Management; prohibiting the purchase of motor vehicles for certain purposes under certain circumstances; requiring certain regulations to prohibit the use of State–owned vehicles for certain purposes; requiring certain regulations to require the sale of State–owned vehicles under certain circumstances; and generally relating to the purchasing and use of vehicles by the State.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3–501
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 3–502 and 3–503
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 242 – Delegates Harrison, Hucker, Robinson, Stukes, and Tarrant

AN ACT concerning

Unemployment Insurance Benefits – Determination Based on Severance or Dismissal Payments

FOR the purpose of altering the determination of unemployment insurance benefits for an individual who receives or is eligible to receive severance or dismissal payments when the individual's unemployment is the result of the abolishment of the job to be the same as the determination when the individual's unemployment is not the result of the abolishment of the job; providing for the application of this Act; and generally relating to the determination of unemployment insurance benefits based on severance or dismissal payments.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–1009
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 243 – Delegates Haddaway, Eckardt, Aumann, Bartlett, Bates, Beitzel, Boteler, Bromwell, Cane, Dwyer, Elmore, Frank, George, Hecht, Jennings, Krebs, Kullen, Lafferty, Manno, Mathias, McComas, Montgomery, Murphy, Myers, Norman, O'Donnell, Riley, Serafini, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, Taylor, F. Turner, Walkup, and Wood

AN ACT concerning

Milk Products – Pilot Farmstead Cheese Program – Permits

FOR the purpose of repealing a certain limitation on the number of milk processor – farmstead cheese producer permits that the Secretary of Health and Mental Hygiene may issue under a certain pilot program; and generally relating to permits for the pilot farmstead cheese program.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 21–401(a) and (g), 21–410(b)(5), 21–416(d), and 21–417(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–416.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 244 – Delegate Kaiser (Joint Committee on Children, Youth, and Families) and Delegates Bates, Benson, Eckardt, Frush, Gilchrist, Gutierrez, Hubbard, Nathan–Pulliam, Oaks, Sossi, and Stocksdale

AN ACT concerning

Joint Committee on Children, Youth, and Families – Repeal of Sunset

FOR the purpose of repealing the termination date of the Acts that established the Joint Committee on Children, Youth, and Families; and generally relating to the Joint Committee on Children, Youth, and Families.

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–10A–06
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 362 of the Acts of the General Assembly of 1999, as amended by Chapter 491 of the Acts of the General Assembly of 2002
Section 2

BY repealing and reenacting, with amendments,
Chapter 363 of the Acts of the General Assembly of 1999, as amended by Chapter 491 of the Acts of the General Assembly of 2002
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 245 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Declaration of Trust and Bylaws

FOR the purpose of repealing a certain provision requiring that the annual meeting of shareholders provided for in a real estate investment trust's declaration of trust be held after the delivery of the annual report; repealing a certain cross–reference in a provision authorizing provisions of a real estate investment trust's bylaws to be made dependent on facts ascertainable outside the bylaws; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 8–202
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 246 – Delegate Harrison

AN ACT concerning

Insurance Producers – Continuing Education – Exemption for Funeral Directors and Morticians

FOR the purpose of exempting certain licensed funeral directors and certain licensed morticians who sell only certain life insurance policies or annuity contracts for a certain purpose from continuing education requirements for insurance producers; and generally relating to continuing education for insurance producers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 10–116
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 247 – Delegates Jennings, Aumann, Boteler, Frank, Myers, Olszewski, Serafini, and Shank

AN ACT concerning

Family Education Savings Account Act – Subtraction Modification for Contributions

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain contributions to certain education savings accounts, subject to certain limitations; providing for the application of this Act; defining a certain term; and generally relating to a Maryland income tax subtraction modification for certain contributions to family education savings accounts.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 248 – Delegates Niemann, Ali, Carr, Frush, Glenn, Hammen, Hucker, Lafferty, and Montgomery

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 Environmental Matters.

House Bill 249 – Delegates Jennings and Frank

AN ACT concerning

Property Tax – Notice of Assessment – Appeal

FOR the purpose of extending the time period within which certain parties may appeal the value or classification in a notice of assessment to the supervisor of assessments for a county; and generally relating to appeals to the supervisor of assessments for a county.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–502(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 250 – Delegates Kullen, Eckardt, Bromwell, Kipke, Montgomery, Pena–Melnyk, Reznik, Riley, V. Turner, and Weldon

AN ACT concerning

Public Health – Authority to Certify Incapacity or Death – Nurse Practitioners

FOR the purpose of authorizing certain nurse practitioners to make a certain determination of incapacity or debilitation under certain circumstances; authorizing certain nurse practitioners to fill out and sign a certain certificate of death under certain circumstances; authorizing certain nurse practitioners to certify that certain patients are incapable of making a certain decision under certain circumstances; authorizing certain nurse practitioners to certify that certain patients are in a certain health condition; and generally relating to nurse practitioners and authority to certify incapacity or death.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–906
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–212, 5–602(e), 5–606, and 5–608(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 251 – Delegates Haddaway, Eckardt, Aumann, Barkley, Dwyer, Elliott, Elmore, Frank, Jennings, Krebs, Lafferty, Levy, Mathias,

McComas, Morhaim, Myers, Norman, O'Donnell, Serafini, Shank, Shewell, Sossi, Stocksdale, Stull, Walkup, and Wood

AN ACT concerning

Criminal Law – Misrepresentation or False Statement as to Age – Driver's License Suspension

FOR the purpose of providing for the suspension of a driver's license for certain alcoholic beverages violations; altering the period of a driver's license suspension for certain alcoholic beverages violations under certain circumstances; and generally relating to suspension of a driver's license for certain alcoholic beverages violations.

BY repealing
Article – Courts and Judicial Proceedings
Section 3–8A–19(e)(1)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–19(e)(1)(iii), (iv), and (v)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–113 and 10–119(f)(2) and (3)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–119(k)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–206(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–206(d)(4)

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 252 – Delegate Costa

AN ACT concerning

State Board of Pharmacy – Pharmacy Permit – Term and Renewal

FOR the purpose of altering the term of a pharmacy permit; requiring the State Board of Pharmacy to send out a certain notice within a certain time of the expiration of a pharmacy permit; and generally relating to a pharmacy permit term and renewal.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–407
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 253 – Delegates Sossi, Smigiel, and Walkup

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Kennard High School Restoration

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 Kennard Alumni 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 Appropriations.

House Bill 254 – Delegates Sossi, Beitzel, and Walkup

AN ACT concerning

Natural Resources – Citations – Seizure of Equipment

FOR the purpose of authorizing a Natural Resources police officer or any law enforcement officer to seize certain equipment on the issuance of a certain citation under certain circumstances; and generally relating to the seizure of equipment for violations of natural resources laws.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–1106
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 255 – Delegates Pena–Melnyk and Costa

AN ACT concerning

Health Maintenance Organizations – Payments to Nonparticipating Providers

FOR the purpose of altering the rate that a health maintenance organization must pay to certain trauma physicians for certain covered services provided to certain enrollees of the health maintenance organization; requiring health maintenance organizations to pay certain health care providers for certain evaluation and management services no less than the greater of certain rates; requiring health maintenance organizations to pay certain health care providers for certain services that are not evaluation and management services no less than the greater of certain rates; requiring the Maryland Health Care Commission to annually review certain payments and report certain findings to the Maryland Insurance Administration; authorizing the Administration to take certain actions to investigate and enforce a violation of certain provisions of this Act; requiring the Administration, in consultation with the Commission, to adopt certain regulations; defining certain terms; providing for a delayed effective date; providing for the termination of this Act; and generally relating to payments by health maintenance organizations to nonparticipating providers.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–710.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 256 – Delegates Pena–Melnyk, Barnes, and Frush

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Prince George's County – College Park City Hall

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to expand the authorized uses of a certain grant to the Mayor and City Council of the City of College Park.

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

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

House Bill 257 – Delegates King and Rice

AN ACT concerning

Classroom Placement – Multiple Birth Children – Parental Discretion

FOR the purpose of authorizing the parent or guardian of multiple birth children to request the classroom placement of their children under certain circumstances; requiring a parent or guardian to make a certain request in a certain manner within a certain period of time; requiring a school to provide the classroom placement requested by certain parents or guardians; authorizing a principal to determine a certain classroom placement for certain children if a certain determination is made by the principal in consultation with certain classroom teachers after a certain period of time; providing that certain parents or guardians may appeal a certain classroom placement decision of a principal to the county board of education; requiring that certain children remain in a certain classroom placement during a certain appeal; authorizing a school to recommend a certain classroom placement to certain parents or guardians or provide certain professional advice to assist certain parents or guardians regarding classroom placement for multiple birth children; prohibiting a county board from adopting a certain policy; defining a certain term; and generally relating to parental discretion for the classroom placement of multiple birth children.

BY adding to
Article – Education
Section 7–119
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 258 – Delegates Simmons, Waldstreicher, Dumais, Kramer, and Lee

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

FOR the purpose of prohibiting a person from committing a certain crime of violence while knowingly in the presence of a minor under a certain age who witnesses the crime; establishing certain penalties for a violation of this Act; establishing that a sentence under this Act is separate from and consecutive to a sentence for a crime based on the act establishing a violation of this Act; providing that a person who violates this Act is guilty of the abuse of a child under 18 years for certain purposes; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 9–106(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (c)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 259 – Delegates King, Love, Kipke, and Schuh

AN ACT concerning

Environmental Health Monitoring and Testing – Reimbursement of Costs

FOR the purpose of authorizing the Department of the Environment to factor in costs incurred by a county in conducting certain environmental health monitoring or testing related to a certain violation when assessing a certain penalty; requiring the Department to reimburse a county from the Maryland Clean Water Fund for certain costs incurred by the county in conducting environmental health monitoring or testing related to a certain violation; limiting reimbursement to certain circumstances and certain amounts; requiring the Department to use the Maryland Clean Water Fund for the reimbursement of counties for certain costs incurred in conducting certain environmental health monitoring or testing; and generally relating to reimbursement of counties for costs of conducting environmental health monitoring or testing.

BY adding to
Article – Environment
Section 1–304
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–320
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 260 – Delegates King and Kipke

AN ACT concerning

State Government – Commemorative Days – Juvenile Diabetes Day

FOR the purpose of requiring the Governor annually to proclaim April 6 as "Juvenile Diabetes Day".

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 261 – Delegate Simmons

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality and Eligibility

FOR the purpose of prohibiting the disclosure of the identity or contact information of a victim or claimant by the Criminal Injuries Compensation Board; prohibiting a person who has been convicted of certain offenses from receiving a certain award from the Board; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–806 and 11–808(a)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 262 – Delegate King

AN ACT concerning

Anne Arundel County – Tipton Airport Authority – Runway Length

FOR the purpose of increasing the maximum length to which the Tipton Airport Authority is authorized to extend a runway; and generally relating to the Tipton Airport Authority.

BY repealing and reenacting, with amendments,
The Public Local Laws of Anne Arundel County
Section 3–12–101(j)
Article 2 – Public Local Laws of Maryland
(2005 Edition and September 2008 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 263 – Delegate Braveboy

AN ACT concerning

Real Property – Common Ownership Community Ombudsman

FOR the purpose of establishing the office of Common Ownership Community Ombudsman in the Department of Labor, Licensing, and Regulation; providing for the appointment, service, qualifications, and salary of the Ombudsman; authorizing the Ombudsman to employ a staff; requiring the Ombudsman to perform certain duties; authorizing the Ombudsman to adopt and enforce

certain regulations; requiring a common ownership community to register by a certain date with the Ombudsman; requiring the registration form to include certain information; providing that a common ownership community is exempt from registration if it is required to register under a certain local common ownership community registration system; requiring the Ombudsman to charge a fee for registration; providing that the fee may not exceed a certain amount; establishing a Common Ownership Community Ombudsman Fund; providing for the purpose of the Fund; providing that the Fund is a special, nonlapsing fund that is not subject to a certain provision; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the contents of the Fund; providing for the use of the Fund; requiring the State Treasurer to invest the Fund in a certain manner; providing that expenditures from the Fund may be made in a certain manner; requiring the Office of Legislative Audits to audit the accounts and transactions of the Fund; exempting a certain homeowners association from this Act; defining certain terms; and generally relating to establishing the office of Common Ownership Community Ombudsman.

BY adding to
Article – Real Property
Section 11C–101 through 11C–402 to be under the new title "Title 11C. Common Ownership Community Ombudsman"
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 264 – Delegates G. Clagett, Barkley, Bohanan, Boteler, DeBoy, Haddaway, Harrison, Healey, Hecht, James, Jones, Minnick, Riley, Sossi, Stukes, and Wood

AN ACT concerning

Military Service Credit – Eligibility

FOR the purpose of repealing certain limitations and certain exceptions for certain 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 2008 Supplement)

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

House Bill 265 – Delegates G. Clagett, Barkley, Boteler, Cane, V. Clagett, Costa, DeBoy, Guzzone, Harrison, Jones, Levy, Love, Mathias, Sossi, and V. Turner

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 266 – Delegates Reznik, Ali, Barkley, Dumais, Feldman, and Rice

AN ACT concerning

Developmental Disabilities Administration – Adult Autism Care Training Program

FOR the purpose of requiring the Developmental Disabilities Administration to select a certain service provider to develop and implement an Adult Autism Care Training Program; providing for the purpose of the Program; providing certain eligibility criteria for certain service providers; requiring an eligible service provider to submit a certain proposal to be considered for selection by the Administration; requiring the payment of certain rate enhancements to certain service providers under certain circumstances; providing for the termination of this Act; and generally relating to the care of adults with autism spectrum disorders.

BY adding to
Article – Health – General
Section 7–205.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 267 – Delegate King

AN ACT concerning

Family Law – Child Abduction by Relative

FOR the purpose of altering the elements of certain crimes involving the abducting, detaining, or harboring of a certain child by a relative to require a certain intent; altering certain penalties for certain crimes involving the abducting, detaining, or harboring of a certain child by a relative under certain circumstances; and generally relating to child abduction.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9–304, 9–305, and 9–307
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 268 – Delegates Rosenberg, Oaks, Haynes, and James

AN ACT concerning

Welfare to Work – Job Skills Enhancement Program – Green Jobs

FOR the purpose of codifying the requirement that the Secretary of Budget and Management develop and implement a plan for hiring within State government certain welfare recipients; clarifying that a certain hiring plan includes certain current and former Family Investment Program (FIP) recipients; clarifying that the Secretary of Human Resources and certain local directors develop and implement certain local government hiring plans for current and former FIP recipients; requiring that the job skills enhancement program include job training for employment in certain energy efficiency and renewable energy industries; authorizing the Secretary of Human Resources to access certain federal stimulus dollars for job training in certain industries; requiring that certain procurement subcontracts be designated as appropriate for the execution of certain hiring agreements; clarifying that certain model hiring agreements include certain current and former FIP recipients; clarifying that certain Maryland Strategic Energy Investment Program funds used in certain low–income and moderate–income sectors include certain current and former FIP recipients; requiring that certain Maryland Strategic Energy Investment Program funds be used as grants to the job skills enhancement program for job training in certain industries; altering the membership of the Strategic Energy

Investment Advisory Board to include the Secretary of Human Resources or the Secretary's designee; requiring the Secretary of Human Resources to submit a certain report on a certain program by a certain date; altering a certain definition; and generally relating to welfare for work and job training and the hiring of current and former Family Investment Program recipients.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–304 and 5–318
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–224
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–02 and 9–20B–07(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(f) and (h) and 9–20B–07(c)(4)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Chapter 486 of the Acts of the General Assembly of 1999
Section 4

Read the first time and referred to the Committee on Appropriations and the Committee on Economic Matters.

House Bill 269 – Caroline County Delegation

AN ACT concerning

Caroline County – Tax Sales – Auctioneer Fees

FOR the purpose of altering the fees auctioneers are allowed at tax sales in Caroline County; and generally relating to tax sales in Caroline County.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 14–813(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 270 – Delegates Haddaway, Eckardt, Aumann, Bates, Boteler, Dwyer, Elmore, Frank, George, Kipke, Mathias, McComas, Murphy, Myers, O'Donnell, Serafini, Shewell, Smigiel, Sossi, Stocksdale, Stull, Walkup, and Wood

AN ACT concerning

State Boat Act – Excise Tax – Computation of Trade–In Value

FOR the purpose of altering the definition of "fair market value" for purposes of the imposition of the State excise tax on marine vessels; establishing certain methods to determine the value of a trade–in vessel for purposes of determining the fair market value of a marine vessel; and generally relating to the State excise tax on marine vessels.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–716(a)(1) and (6)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–716(a)(3) and (c)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 271 – Delegates Stein, Anderson, Cardin, Schuler, and Waldstreicher

AN ACT concerning

Vehicle Laws – "Road Rage" Offenses

FOR the purpose of establishing a vehicle offense of maliciously violating certain provisions of the Maryland Vehicle Law under certain circumstances; establishing certain maximum penalties for convictions for the offense under certain circumstances; providing for certain procedures concerning a certain

penalty; and generally relating to establishing a vehicle offense of maliciously violating certain provisions of the Maryland Vehicle Law under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–303(c) and (e), 21–309(b), 21–310, 21–604(e), 21–804(a), and 21–1102
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 21–901.3 and 27–101(cc)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 272 – Delegates Mizeur, Bobo, Bronrott, Donoghue, Frick, Frush, Hubbard, Ivey, Kullen, Lee, Montgomery, Pena–Melnyk, Reznik, and F. Turner

AN ACT concerning

Maryland Coverage Affordability and Revenue Efficiency Standards Act

FOR the purpose of altering certain loss ratio requirements for certain health benefit plans and Medicare supplement policies; establishing a certain loss ratio requirement for certain group health benefit plans; providing for the application of this Act; and generally relating to minimum loss ratios for health benefit plans and Medicare supplement policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–605(c)(1) and (2)(i) and 15–911(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–605(c)(2)(iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 273 – Delegates Reznik, Ali, Anderson, Aumann, Barkley, Beidle, Benson, Bobo, Bromwell, Bronrott, Burns, Carr, Carter, G. Clagett, Dumais, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Kullen, Lafferty, Lee, Manno, Mathias, Mizeur, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Rice, Robinson, Rosenberg, Schuler, Shewell, Simmons, Sophocleus, Stein, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Waldstreicher, and Weldon

AN ACT concerning

Health Insurance – Coverage of Autism Spectrum Disorders

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for the diagnosis of autism spectrum disorders and the treatment of autism spectrum disorders in certain individuals; requiring certain treatment for autism spectrum disorders to be provided by certain individuals; limiting coverage to a certain maximum benefit; providing for the annual adjustment of the maximum benefit; clarifying that certain benefits otherwise available to an individual are not limited by this Act; prohibiting certain limits on visits to an autism services provider; requiring a certain notice; providing that a certain determination constitutes an adverse decision under certain provisions of law; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to request an updated treatment plan at certain intervals; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to pay the cost of the updated treatment plan; providing that certain insurers, nonprofit health service plans, and health maintenance organizations are not required to provide reimbursement for certain services; making the provisions of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to requiring health insurance coverage of autism spectrum disorders.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–844
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 274 – Delegates Schuh and Kaiser

AN ACT concerning

Task Force on the Correlation Between Population Size of Middle and High Schools and Academic Achievement

FOR the purpose of establishing a Task Force on the Correlation Between Population Size of Middle and High Schools and Academic Achievement; establishing the membership and staffing of the Task Force; providing for the designation of the chair of the Task Force; requiring the Task Force to evaluate and make policy recommendations regarding certain issues; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive certain reimbursements; 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 on the Correlation Between Population Size of Middle and High Schools and Academic Achievement.

Read the first time and referred to the Committee on Ways and Means.

House Bill 275 – Delegates Schuh, Barnes, Beidle, V. Clagett, Costa, Frush, George, Kipke, Love, Pena–Melnyk, and Sophocleus

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; 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 Appropriations.

House Bill 276 – Delegate Bohanan

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 $175,000, 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 Appropriations.

House Bill 277 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Appointment to Assistant Sheriff – Rank Eligibility

FOR the purpose of altering a certain provision so as to provide that, in St. Mary's County, only a deputy sheriff who holds one of the two permanent ranks immediately preceding the rank of Assistant Sheriff is eligible for appointment to Assistant Sheriff; and generally relating to the appointment of the Assistant Sheriff of St. Mary's County.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 120–2B.(3)
Article 19 – Public Local Laws of Maryland
(2007 Edition, as amended)
(As enacted by Chapter 495 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 278 – Delegates Frank, Aumann, Bates, Boteler, Dwyer, Eckardt, Elliott, George, Haddaway, Jennings, Krebs, McComas, McConkey, Miller, Norman, O'Donnell, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, and Weldon

AN ACT concerning

Election Law – Special Election to Fill Vacancy in the Office of United States Senator

FOR the purpose of altering the process for filling a vacancy in the office of United States Senator; repealing the authority of the Governor to make an appointment to fill a vacancy in the office of United States Senator under certain circumstances; requiring the Governor to issue a proclamation to call for a special election to fill a vacancy in the office of United States Senator under

certain circumstances; and generally relating to filling a vacancy in the office of United States Senator.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–601
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–602
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 279 – Delegates Frank and Morhaim

AN ACT concerning

Health Care Malpractice – Expression of Regret or Apology – Inadmissibility

FOR the purpose of repealing a certain exception to the provision of law that a certain expression of regret or apology made by a health care provider is inadmissible for certain purposes in a certain proceeding or civil action; providing for the application of this Act; and generally relating to the admissibility of an expression of regret or apology in certain health care malpractice proceedings or actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–920
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 280 – Delegates Frank and Morhaim

AN ACT concerning

Health Care Malpractice – Expression of Regret or Apology – Inadmissibility

FOR the purpose of altering a certain evidentiary rule concerning an expression of regret or apology in certain civil actions and proceedings against health care providers; making a stylistic change; providing for the application of this Act;

and generally relating to the admissibility of an expression of regret or apology in certain health care malpractice proceedings or actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–920
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 281 – Delegates Ross, Barnes, Benson, Carr, Costa, Davis, Donoghue, Elliott, Gilchrist, Gutierrez, Hubbard, Ivey, Kach, Kullen, Levi, Montgomery, Ramirez, Reznik, Rice, Riley, V. Turner, and Waldstreicher

AN ACT concerning

Disability History and Awareness Month – Educational Requirements

FOR the purpose of requiring the Governor to proclaim the month of October to be Disability History and Awareness Month; encouraging a county board of education to provide certain instruction in a certain manner; encouraging the president of a constituent institution of the University System of Maryland to conduct and promote certain activities; prohibiting a certain interpretation of this Act; and generally relating to disability history and awareness.

BY adding to
Article – Education
Section 7–430 and 12–109(h)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 12–101(a) and (b)(1) through (5)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – State Government
Section 13–503
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Ways and Means.

House Bill 282 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Adult Public Guardianship Review Board – Membership

FOR the purpose of requiring one of two physician members of the Adult Public Guardianship Review Board of St. Mary's County to be a psychiatrist or psychologist from a local health department that employs psychiatrists or psychologists; and generally relating to the Adult Public Guardianship Review Board of St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 14–402(a)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 283 – Delegates Frank and Morhaim

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.

BY adding to
Article – Health – General
Section 13–2801 through 13–2803 to be under the new Subtitle "Subtitle 28. Task Force on Administrative Compensation for Birth–Related Neurological Injury"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

House Bill 284 – Delegates Schuh and Minnick

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Election Law – Legislative Districting and Apportionment Commission

FOR the purpose of proposing an amendment to the Maryland Constitution to alter the process of legislative districting and apportionment in the State by establishing a Legislative Districting and Apportionment Commission; providing for the membership, qualifications, chair, and duties of the Commission; requiring the Commission to establish rules and procedures; making Commission meetings and records subject to State law governing open meetings and public records; requiring the Commission to file a final report within a certain period of time with the Secretary of State; providing for the removal of a Commission member under certain circumstances; specifying a process for filling a vacancy on the Commission; providing for the dissolution of the Commission; requiring the Attorney General to petition the Court of Appeals to review the Commission's final report and make certain determinations; requiring the Commission to prepare an amended plan under certain circumstances; requiring the Court of Appeals to take certain actions with respect to the Commission's report under certain circumstances; specifying that the Commission shall have staff and other resources as provided in the State budget; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing a repeal of the Maryland Constitution
Article III – Legislative Department
Section 5

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 5

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 285 – Delegates Waldstreicher, Anderson, Barnes, Carter, Conaway, Dumais, Rosenberg, Ross, and Schuler

AN ACT concerning

Criminal Law – Controlled Dangerous Substances – Penalties

FOR the purpose of altering penalties for certain drug possession offenses based on the amount of drugs involved; making technical changes; and generally relating to penalties for drug–related offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 286 – Delegates Jameson, Ali, Barkley, Boteler, Conaway, DeBoy, George, Howard, Levy, Love, McDonough, Murphy, Ramirez, Shewell, Sophocleus, Stocksdale, Walkup, and Wood

AN ACT concerning

Criminal Procedure – Reports to "Crime Solvers" Organization – Inadmissibility and Confidentiality

FOR the purpose of establishing that evidence of a communication or information contained in the communication between an individual reporting alleged criminal activity to a certain "Crime Solvers" organization and the individual who accepts the report on behalf of the organization is not admissible in a court proceeding; establishing that a law enforcement agency that receives information concerning alleged criminal activity from a certain "Crime Solvers" organization may not disclose the identity of an individual providing information about the criminal activity under a promise of anonymity; defining a certain term; and generally relating to crime reporting.

BY adding to
Article – Criminal Procedure
Section 11–1101 through 11–1103 to be under the new subtitle "Subtitle 11. Anonymous Crime Reporting"
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 287 – Delegates Beidle, Healey, Holmes, King, Kipke, Lafferty, Love, Mathias, McConkey, and Niemann

AN ACT concerning

Real Property – Condominiums – Repair or Replacement of Unit by Council of Unit Owners

FOR the purpose of clarifying that the council of unit owners of a condominium is responsible for the repair or replacement of condominium units, exclusive of improvements and betterments installed in units by unit owners other than the developer, in the event of damage or destruction of the condominium; clarifying the coverage of certain property insurance required to be maintained by a council of unit owners; providing that the owner of the unit where the cause of certain damage or destruction originated is responsible for a certain insurance deductible up to a certain amount; repealing a condition that the responsibility of the unit owner be provided in the bylaws; repealing a provision that a property insurance deductible is not a cost of repair or replacement in excess of insurance proceeds; repealing a provision that the council of unit owners' property insurance deductible is a common expense; altering the amount of a property insurance deductible for which a unit owner is responsible; requiring the council of unit owners to inform unit owners of certain responsibilities relating to the property insurance deductible; and generally relating to condominiums and insurance coverage under the Maryland Condominium Act.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–108.1 and 11–114
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 288 – Delegates Rosenberg, Mizeur, and Pena–Melnyk

AN ACT concerning

Lilly Ledbetter Fair Pay Restoration Act of 2009

FOR the purpose of 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; authorizing the recovery of certain back pay where a certain unlawful employment practice is similar or related to a certain other unlawful employment practice; declaring the intent of the General Assembly; providing for the application of this Act; providing that a certain Supreme Court ruling is not to be applied to any cases brought under certain provisions of law; and generally relating to unlawful discriminatory compensation practices.

BY adding to

Article – State Government
Section 20–607 and 20–1009(b)(5)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter____(H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–607 and 20–608
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–1012(b) and 20–1013(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 289 – Delegate Proctor

AN ACT concerning

Attorney General – State Legal Business – Hiring Counsel

FOR the purpose of making more uniform certain exceptions to certain roles of the Attorney General or a designee of the Attorney General; authorizing an officer or unit of State government to employ or be represented by certain individuals under certain circumstances; and generally relating to State legal business.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 13–107
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 6–105
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–106
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 290 – Southern Maryland Delegation

EMERGENCY BILL

AN ACT concerning

Agriculture – Agricultural Preservation Easements – Renewable Energy Generation

FOR the purpose of authorizing a landowner whose land is subject to an agricultural preservation easement to use the land for the generation of power or heat from solar or wind energy under certain circumstances; making this Act an emergency measure; and generally relating to the Maryland Agricultural Land Preservation Foundation and renewable energy generation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

House Bill 291 – Delegates Stukes, Anderson, Carter, Conaway, Doory, Hammen, Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Maryland Independent College and University Association – Sojourner–Douglass College

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to permit the Board of Trustees of Sojourner–Douglass College to include in kind contributions in the required matching fund for a certain grant.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA00 (M)

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

House Bill 292 – The Speaker (By Request – Administration) and Delegates Jones, Manno, Montgomery, and Taylor

AN ACT concerning

Financial Institutions – Mortgage Lenders and Mortgage Loan Originators

FOR the purpose of altering certain provisions of law regulating mortgage lenders and mortgage loan originators to conform to the requirements of the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2009; expanding the authority of the Commissioner of Financial Regulation to adopt regulations to facilitate implementation of a multistate automated licensing system; requiring certain applicants and licensees to provide certain information and pay certain fees to a certain multistate automated licensing system at certain times; authorizing the Commissioner to use the multistate automated licensing system to request information from and distribute information to certain sources under certain circumstances; altering the required contents of an application for a mortgage lender license and a mortgage loan originator license; altering the terms of mortgage lender licenses and mortgage loan originator licenses; requiring a licensed mortgage lender to submit a certain annual report; increasing certain civil penalties; altering the circumstances under which a mortgage lender must require a borrower to provide certain information to the mortgage lender; prohibiting an individual from engaging in the business of a mortgage loan originator unless the individual holds a valid license or is exempt from certain provisions of law; establishing certain exemptions from the licensing requirement; providing that a license issued under certain provisions of law authorizes the licensee to act as a mortgage loan originator when acting within the scope of employment of a person exempt from licensing as a mortgage lender; altering the information the Commissioner must include on a mortgage loan originator license; altering the actions a licensed mortgage loan originator must take before acting as a mortgage loan originator under a certain name or for a certain employer; altering certain requirements for the issuance and renewal of a mortgage loan originator license; establishing certain education, testing, and surety bond requirements for certain applicants and licensees; authorizing certain licensees to comply with certain requirements on or before a certain date; authorizing the Commissioner to issue an interim mortgage loan originator license to certain individuals under certain circumstances; altering the circumstances under which the Commissioner must revoke the license of a mortgage loan originator; providing that certain requirements and privileges apply to certain information or material under certain circumstances; providing that certain information and material may be

shared with certain regulatory officials without the loss of certain privilege or confidentiality protections; authorizing the Commissioner to enter into certain information sharing agreements; requiring certain nonfederally insured credit unions to register certain employees with a certain multistate automated licensing system in a certain manner; requiring the Commissioner to report certain enforcement actions and information to the multistate automated licensing system and adopt regulations establishing a process to challenge the information entered into the system; requiring a mortgage loan originator's unique identifier to be displayed in a certain manner and under certain circumstances; defining certain terms; altering and repealing certain definitions; making stylistic and conforming changes; and generally relating to the regulation of mortgage lenders and mortgage loan originators.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2–105.1(c), 11–501, 11–502(b), 11–505(d) and (e), 11–506(c), 11–506.1, 11–507, 11–508(b) and (d), 11–508.1(a), 11–511, 11–513(a), 11–515(b) and (d), 11–516(a), 11–517(a) and (c), 11–521(a), 11–523(b), 11–601, 11–602, 11–603, 11–605, 11–606, 11–607(a), 11–609, 11–612, 11–613(a), and 11–615(a), (c), and (f)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Financial Institutions
Section 11–513.1, 11–605.1, 11–606, 11–606.1, and 11–619 through 11–623
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing
Article – Financial Institutions
Section 11–604
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 293 – The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais, Bronrott, Ali, Lafferty, and Waldstreicher

AN ACT concerning

Vehicle Laws – Repeated Drunk and Drugged Driving Offenses – Suspension of License

FOR the purpose of requiring the Motor Vehicle Administration to suspend for a certain period the driver's license of a person who has been convicted of certain drunk and drugged driving offenses within a certain time period after the person was previously convicted of certain drunk and drugged driving offenses; and generally relating to penalties for drunk and drugged driving.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205(e)(2), (3), and (4)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902(a) through (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 294 – The Speaker (By Request – Administration) and Delegates Ali, Barve, Beidle, Benson, Cane, Carr, V. Clagett, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Healey, Hecht, Howard, Hucker, Lafferty, Lee, Mizeur, Montgomery, Niemann, and Pena–Melnyk

AN ACT concerning

Smart, Green, and Growing – Local Government Planning – Planning Visions

FOR the purpose of revising the planning visions for the State's Economic Growth, Resource Protection, and Planning Policy and for local comprehensive planning; requiring local jurisdictions to report on certain restrictions that are the result of an adequate public facilities ordinance; specifying the contents of the local jurisdiction's report; requiring the Department of Planning to prepare a report on the statewide impacts of adequate public facilities ordinances; specifying the contents of the Department's report; authorizing a certain local legislative body to establish a transfer of development rights program within a priority funding area to assist in the purchase of land for public facilities; requiring the proceeds of the sale of the development right to be used to assist in the purchase of the site or the construction of the facility; limiting the transfer of development rights to a priority funding area; providing for the timing of certain reports; and generally relating to local government planning.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–7A–01
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.01, 10.01, and 11.01
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 295 – The Speaker (By Request – Administration) and Delegates Ali, Barve, Beidle, Cane, Carr, V. Clagett, Feldman, Gaines, Gutierrez, Guzzone, Healey, Howard, Hucker, Lee, Mizeur, Montgomery, and Niemann

AN ACT concerning

Smart, Green, and Growing – Annual Report – Smart Growth Measures and Indicators and Implementation of Planning Visions

FOR the purpose of requiring certain local jurisdictions to file an annual report; requiring local jurisdictions to include information about smart growth measures and indicators and information about implementation of the planning visions in a certain annual report; requiring the Department of Planning to adopt regulations before a certain date on the measures and indicators; requiring a planning commission to hold a hearing on the annual report; requiring the Department to consider certain factors when developing the measures and indicators; requiring the Task Force on the Future for Growth and Development to make certain recommendations on or before a certain date; providing for the date of the annual report; requiring the Department to provide technical assistance; and generally relating to annual reports.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02, 2.13, and 3.09
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article 66B – Land Use
Section 3.10
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 296 – The Speaker (By Request – Administration) and Delegates Barnes, Bronrott, Doory, Dumais, Frick, Guzzone, Lee, Rosenberg, and Vaughn

AN ACT concerning

Family Law – Protective Orders – Surrender of Firearms

FOR the purpose of making it mandatory, rather than discretionary, for a final protective order to order the respondent to surrender certain firearms to law enforcement authorities and to refrain from possessing any firearm for a certain duration; making certain technical changes; and generally relating to the issuance and contents of protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506, 4–507(a), and 4–509(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 297 – The Speaker (By Request – Administration) and Delegates Ali, Barve, Beidle, Cane, Carr, V. Clagett, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Healey, Howard, Hucker, Lafferty, Lee, Mizeur, Montgomery, Niemann, and Pena–Melnyk

AN ACT concerning

Smart, Green, and Growing – Smart and Sustainable Growth Act of 2009

FOR the purpose of defining a certain term applicable to the exercise by a local jurisdiction of certain land use, water and sewer plan review, growth allocation, and annexation powers to require consistency with a local comprehensive plan under certain circumstances; altering the applicability of certain land use provisions to certain local jurisdictions; requiring a local jurisdiction to enact a certain land use plan; requiring a member of a local planning commission to complete a certain education course; requiring a member of a board of appeals to complete a certain education course; declaring the intent of the General Assembly; requiring a member of a local planning commission and a member of a board of appeals to complete a certain education course by a certain date; requiring the Task Force on the Future for Growth and Development to make certain recommendations; requiring the Department of Planning to develop a certain education course by a certain date; providing for the application of this Act; defining certain terms; and generally relating to land use.

BY renumbering

Article 66B – Land Use
Section 1.03
to be Section 1.04
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 1.00(a), 1.01, and 4.09
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.00(h) and (k), 1.02, 2.13, 3.01, 3.02, and 4.07
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article 66B – Land Use
Section 1.02
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 1.04(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 298 – The Speaker (By Request – Administration) and Delegates Jones, G. Clagett, DeBoy, Hucker, Glenn, Valderrama, Barkley, Benson, Frush, Gaines, Gutierrez, Guzzone, Harrison, Heller, Hixson, Kirk, Lee, Levi, Levy, Malone, McHale, Robinson, Ross, Schuler, Stukes, and V. Turner

AN ACT concerning

State Employees – Collective Bargaining – Negotiations – "The Fair Share Act"

FOR the purpose of authorizing collective bargaining negotiations pertaining to certain State employees to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; and generally

relating to permissible matters of negotiation under the State employee collective bargaining process.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 299 – The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais, Bronrott, Lafferty, and Waldstreicher

AN ACT concerning

Criminal Law – Alcoholic Beverages – Underage Individuals – Prohibitions and Penalties

FOR the purpose of prohibiting an individual under a certain age from consuming, or exhibiting certain effects from consuming, alcoholic beverages; providing certain exceptions; making the furnishing of an alcoholic beverage to a certain individual a crime under certain circumstances; establishing certain penalties for certain violations of this Act; requiring the Motor Vehicle Administration to suspend for a certain period of time the driver's license of a person who commits certain alcohol–related violations; authorizing the Motor Vehicle Administration to modify a certain suspension under certain circumstances; and generally relating to certain alcoholic beverage violations involving underage individuals under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–113, 10–115, 10–117, 10–118, and 10–120
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–114, 10–116, and 10–119
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 10–121
Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–206(c–1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 300 – The Speaker (By Request – Administration) and Delegates Hixson, Howard, Cardin, F. Turner, V. Clagett, Gaines, Olszewski, Pena–Melnyk, Ross, and Stein

AN ACT concerning

Tax Increment Financing and Special Taxing Districts – Transit–Oriented Development

FOR the purpose of authorizing certain counties and municipal corporations to finance the costs of public improvements located in or supporting a transit–oriented development and owned by the Maryland Economic Development Corporation, the State, or certain other governmental units; authorizing certain counties and municipal corporations to designate special taxing districts, create special funds and provide for the levy of certain taxes and to pledge tax increment revenue pertaining to a development district to secure payment of obligations issued by the Corporation for infrastructure improvements located in or supporting a transit–oriented development; authorizing certain counties and municipal corporations to pledge under an agreement that amounts deposited in any special fund be paid to secure bonds issued by the Corporation for certain purposes; authorizing certain counties and municipal corporations through the levy of certain tax revenues, to fund the costs of infrastructure improvements, or operation and maintenance of those infrastructure improvements, located in or supporting a transit–oriented development; authorizing certain counties and municipal corporations to use certain alternative local tax revenues for tax increment financing in connection with a certain transit–oriented development; adding a certain county to the list of counties authorized to exercise certain powers concerning the creation of special taxing districts; providing for the construction of this Act; making the provisions of this Act severable; defining certain terms; and generally relating to the use of special, ad valorem, tax increment, and alternative local tax revenues by certain counties and municipal corporations.

BY renumbering
Article – Economic Development
Section 12–201(j), (k), (l), (m), (n), and (o), respectively
to be Section 12–201(k), (l), (m), (n), (o), and (p), respectively
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article 23A – Corporations – Municipal
Section 44A(a), (b), (e), and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 23A – Corporations – Municipal
Section 44A(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(a), (b), (c)(2), (f), (g), and (l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(c)(1) and (e)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Economic Development
Section 12–201(j) and (q)
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 12–209 and 12–210
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(m)

Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 301 – The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais, Bronrott, and Waldstreicher

AN ACT concerning

Criminal Procedure – Drunk and Drugged Driving – Probation Before Judgment

FOR the purpose of extending the period of time preceding a subsequent violation by a defendant of certain alcohol– or drug–related driving offenses during which a previous conviction or probation of the defendant for certain alcohol– or drug–related driving offenses prohibits a court from staying entry of judgment and placing the defendant on probation for the subsequent violation; and generally relating to probation before judgment for certain alcohol– or drug–related driving offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(d) and 6–230
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 302 – The Speaker (By Request – Administration) and Delegates Barnes, Bronrott, Doory, Dumais, Frick, Guzzone, Lee, Levi, Rosenberg, and Vaughn

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; requiring a law enforcement officer to provide certain information to a respondent when a firearm is surrendered and to provide for the safe storage of the firearm; providing for the retaking of surrendered firearms by the respondent under certain circumstances; making it a misdemeanor subject to certain penalties to fail to comply with a certain order to surrender firearms; and generally relating to protective orders and surrender of firearms.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–505 and 4–509
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Family Law
Section 4–506.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 303 – The Speaker (By Request – Administration) and Delegates McIntosh, Malone, Bronrott, Ali, Frank, George, Hucker, Lafferty, Montgomery, and Waldstreicher

AN ACT concerning

Vehicle Laws – Young Drivers – Driving Privileges

FOR the purpose of increasing the minimum ages at which an individual may obtain a learner's instructional permit, provisional license, and full driver's license; increasing the maximum age under which an applicant for a learner's instructional permit must provide to the Motor Vehicle Administration a school attendance record; increasing the maximum age of an applicant for a learner's instructional permit for purposes of a prohibition against issuance of the permit if the applicant's school attendance record indicates more than a certain number of absences; altering the period after which the holder of a learner's instructional permit may take certain examinations for a provisional license under certain circumstances; requiring the Administration to cancel the driver's license of a minor if the cosigner on the minor's application for the license makes a certain request; altering the period after which the holder of a provisional license may be issued a full license under certain circumstances; altering the hours during which a holder of a provisional driver's license under a certain age may drive unsupervised; authorizing the Administration to conduct a driver improvement program for young drivers; requiring the Administration to impose certain restrictions on a provisional driver's license and suspend or revoke the license under certain circumstances; modifying a certain license restriction prohibiting a holder of a provisional driver's license from driving a vehicle carrying certain passengers under certain circumstances; providing for the application of a certain provision of this Act; clarifying language; making conforming and stylistic changes; and generally relating to driving privileges for young drivers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103, 16–105(a) and (d), 16–108, 16–111(d), 16–113(d), 16–212, 16–213, and 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–111(a), (b), and (c) and 16–113(d–1) and (i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–113(d–2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 304 – The Speaker (By Request – Administration) and Delegates Ali, Barve, Braveboy, Bronrott, Frush, Griffith, Holmes, Hubbard, Ivey, James, Niemann, Pena–Melnyk, Ramirez, Rosenberg, F. Turner, V. Turner, and Vaughn

AN ACT concerning

Maryland False Health Claims Act of 2009

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 under certain circumstances; providing certain remedies for retaliatory action; requiring an employer to make certain disclosures to employees; requiring the Comptroller to deposit a certain penalty or damages in the General Fund of the State; authorizing the Department of Health and Mental Hygiene or the Inspector General of the Department to adopt certain regulations; defining certain terms; 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 2008 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Appropriations.

House Bill 305 – The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais, Bronrott, and Waldstreicher

AN ACT concerning

Vehicle Laws – Alcohol Restriction on Driver's License – Penalties for Violations

FOR the purpose of establishing certain penalties for a violation of a driver's license alcohol restriction imposed by the Motor Vehicle Administration; and generally relating to driver's license alcohol restrictions.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–113(j), 27–101(c)(11), and 27–102
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 306 – The Speaker (By Request – Administration) and Delegates Kaiser, Ali, Barkley, Bartlett, Branch, Braveboy, Carr, Davis, Dumais, Frick, Gilchrist, Gutierrez, Guzzone, Hammen, Hixson, Howard, Hucker, Ivey, Jones, King, Kramer, Kullen, Lafferty, Lee, Levi, Love, Manno, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ramirez, Rice, Ross, Rudolph, Smigiel, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Waldstreicher

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 307 – The Speaker (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Delegates Dumais and Bronrott

AN ACT concerning

Vehicle Laws – Testing of Drivers Involved in Fatal or Life–Threatening Accidents

FOR the purpose of requiring a police officer to request a driver involved in a motor vehicle accident that results in death or life–threatening injury to voluntarily submit to a certain test for alcohol under certain circumstances; requiring a police officer who asks a person to voluntarily submit to a certain test to advise the person that there is no sanction or consequence for refusing to submit to the test or for any test result; providing that a person is not subject to any criminal or civil sanctions for refusing to voluntarily submit to a test under this Act; prohibiting a certain test result from being used to prompt or be considered in any criminal or civil proceeding or administrative action; prohibiting a certain test result from being considered in the provision of motor vehicle insurance coverage; providing that a certain test result may be used only for certain research and statistical purposes; requiring a certain test result that is reported on a police report to be coded or noted in a certain manner; prohibiting a police officer from requesting a driver to submit to certain tests or charging a driver with certain offenses under certain circumstances; and generally relating to testing of a driver involved in a motor vehicle accident that results in a death or a life–threatening injury under certain circumstances.

BY adding to
Article – Transportation
Section 16–205.3
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 308 – The Speaker (By Request – Administration)

AN ACT concerning

Higher Education – Higher Education Investment Fund – Funding

FOR the purpose of requiring the Comptroller to continue to distribute certain income tax revenue from corporations to the Higher Education Investment Fund; and generally relating to funding of the Higher Education Investment Fund.

BY repealing and reenacting, without amendments,
Article – Education
Section 15–106.6(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–613.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 309 – The Speaker (By Request – Administration) and Delegates Doory, Ross, F. Turner, Branch, Carr, Haynes, Kelly, Nathan–Pulliam, Ramirez, Rosenberg, and Vaughn

AN ACT concerning

Maryland Heritage Structure Rehabilitation Tax Credit Program

FOR the purpose of reestablishing and altering the Maryland Heritage Structure Rehabilitation Tax Credit Program to provide tax credits for rehabilitation of historic properties and other properties contributing to a historic district or a certified heritage area; requiring the Director of the Maryland Historical Trust in the Maryland Department of Planning to adopt certain regulations; providing limits on the amount of tax credits for certain purposes; providing for an additional credit if a certain rehabilitation meets a certain high performance building standard; providing for the issuance of credit certificates for certain rehabilitations, subject to certain requirements and limitations; providing certain limits on the amount of the credit that may be claimed for certain rehabilitations; authorizing the Director to charge a certain fee for certain purposes; prohibiting the Director from issuing credit certificates that exceed a certain amount and after a certain date; establishing the Maryland Department of Planning Tax Credit Administration Fund; providing for amended tax returns under certain circumstances; authorizing the allocation of the credit; providing for certain determinations by the Comptroller; providing for certain reporting requirements; providing for the recapture of the credit if certain work is performed; providing for the termination of the Program; requiring certain funds in the Heritage Structure Rehabilitation Tax Credit Reserve Fund to revert to the General Fund on a certain date; providing for the application of certain provisions of this Act; providing for the retroactive application of a certain provision of this Act; authorizing the Comptroller to make certain determinations and adopt certain regulations; defining certain terms; and generally relating to the Maryland Heritage Structure Rehabilitation Tax Credit Program.

BY adding to
Article – State Finance and Procurement
Section 5A–362 through 5A–370 to be under the new part "Part VI. Maryland Heritage Structure Rehabilitation Tax Credit Program"

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704.5
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments, and transferring to the Session Laws
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 310 – The Speaker (By Request – Administration) and Delegates Feldman, Harrison, Jones, Manno, and Taylor

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Eligibility – Part–Time Work

FOR the purpose of authorizing an individual who is able to work only 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; providing that a part–time worker is not considered to be unemployed if the part–time worker is working all hours for which the part–time worker is available; defining a certain term; making this Act an emergency measure; and generally relating to unemployment insurance benefits for part–time workers.

BY renumbering
Article – Labor and Employment
Section 8–101(v), (w), (x), (y), and (z), respectively
to be Section 8–101(w), (x), (y), (z), and (aa), respectively
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–101(a)
Annotated Code of Maryland

(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 8–101(v)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–801 and 8–903
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 311 – The Speaker (By Request – Administration) and Delegates Barnes, Feldman, Frick, and Lee

AN ACT concerning

Public Safety – Department of State Police – Investigations Affecting First Amendment Rights

FOR the purpose of requiring that a covert investigation of a certain person, group, or organization be based on a reasonable suspicion that the person, group, or organization is planning, or engaged in, criminal activity; authorizing that the investigation be conducted only under certain circumstances; requiring the Department of State Police to conduct all investigations involving certain activities for a legitimate law enforcement objective; requiring the Department to safeguard certain rights of all persons; prohibiting the Department from conducting certain activities for certain purposes; requiring the Department to terminate a certain investigation under certain circumstances; prohibiting the Department from collecting certain information under certain circumstances; requiring the Department to classify accurately certain information; authorizing the Department to disseminate certain information in a certain manner; prohibiting the Department from knowingly including certain information in certain files; providing for the construction of this Act; defining certain terms; and generally relating to investigations affecting First Amendment rights conducted by the Department of State Police.

BY adding to
Article – Public Safety
Section 2–314
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 312 – The Speaker (By Request – Administration) and Delegates Ali, Barnes, Beidle, Bronrott, Carr, V. Clagett, Frush, Glenn, Healey, Holmes, Howard, Hucker, Lafferty, Lee, Malone, Montgomery, Niemann, Pena–Melnyk, Stein, Stukes, and Valderrama

AN ACT concerning

Aquaculture – Shellfish – Leasing

FOR the purpose of repealing certain restrictions, eligibility requirements, and procedures relating to leasing certain areas in certain waters of the State for the purpose of protecting, sowing, bedding, or cultivating certain shellfish; repealing certain provisions relating to revenue derived from private oyster culture; repealing a certain recording fee; requiring the Department of Natural Resources to designate a public shellfish area and prohibiting its leasing for shellfish aquaculture; requiring the Department to establish certain zones for growing shellfish for commercial purposes in the Chesapeake Bay; limiting the location of the zones; requiring the Department to hold a public hearing before establishing the zones and authorizing the Department to issue certain types of leases in the zones for certain purposes under certain circumstances; establishing a set–aside for certain leases to active tidal fish holders; designating the uses of leased areas; authorizing the issuance of submerged land leases in certain waters of the Chesapeake Bay; limiting the locations of submerged land leases and designating their uses in the Chesapeake Bay; authorizing the issuance of submerged land leases in the Atlantic Coastal Bays; limiting the locations of submerged land leases and designating their uses in the Atlantic Coastal Bays; establishing a process for designating in the Atlantic Coastal Bays areas preapproved for submerged land leasing, not approved for submerged land leases, and approved for leasing only on certain application; providing for a setback from the Assateague Island National Seashore; establishing an application process for aquaculture and submerged land leases; requiring surveys of leased areas; defining and requiring active use of a leased area; establishing a lease term; requiring payment of rent; establishing a process for advertising submerged land lease applications and considering protests of such applications; identifying leaseholder responsibilities for leased areas; providing for a waiver of the active use requirement under certain circumstances; prohibiting a leaseholder from engaging in certain activities; authorizing inspection of shellfish planted or harvested under aquaculture or submerged land leases; providing for renewal and termination of a lease; establishing a demonstration lease and defining its purposes, requirements, and limitations; requiring a record of each lease; designating a fund for payments of fees and revenues from aquaculture and submerged land leases; authorizing closure of areas to the catching or harvesting of shellfish in certain areas; prohibiting importation of shellfish without approval; requiring reports of lease activities; repealing certain restrictions relating to nonresident leasing in

Somerset County; prohibiting interference with a lease under certain circumstances and increasing an administrative penalty for such interference; eliminating the prohibition on leasing on natural oyster bars; providing for certain provisions relating to the sale of seed oysters; repealing provisions related to aquaculture seed areas in certain counties; exempting certain leasing activities from a certain licensing requirement; requiring the Department of the Environment to revise certain regulations by a certain date; establishing certain requirements for existing shellfish leases; specifying a certain legislative intent; defining certain terms; making the provisions of this Act severable; and generally relating to shellfish aquaculture leasing in the Chesapeake Bay and the Atlantic Coastal Bays.

BY repealing and reenacting, without amendments,
Article – Environment
Section 16–202(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–202(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1102, 4–1103, 4–11A–01, 4–11A–12, 4–11A–13, and 4–11A–15
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Natural Resources
Section 4–11A–04 through 4–11A–11
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Natural Resources
Section 4–11A–04 through 4–11A–11
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 313 – The Speaker (By Request – Administration) and Delegates McIntosh, Hucker, Bronrott, Glenn, and Manno

AN ACT concerning

Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Highway Work Zones

FOR the purpose of expanding to all counties and municipalities in the State the authority to use certain speed monitoring systems to enforce certain highway speed laws under certain standards and procedures; altering the speed of a motor vehicle at which a speed monitoring system will produce a recorded image of the vehicle; 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 a county, before using a speed monitoring system at certain locations, to obtain certain approval, provide certain notice, and provide a municipal corporation instead of the county the opportunity to use a speed monitoring system at the locations; 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 a certain speed monitoring system placed in a certain location to be calibrated only to record images of motor vehicles traveling at or above a certain speed; repealing a certain requirement that an individual provide certain information to satisfy a certain evidentiary burden; 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; requiring the Comptroller to distribute to the State Highway Administration the revenues from civil fines collected under this Act in an amount to 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 procurement of a work zone speed control system by a unit of State government to be conducted in a certain manner; requiring the State Highway Administration to place a certain road sign within a reasonable 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 able to 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; requiring certain State and local entities to administer and process civil citations issued under this Act in consultation with the District Court; 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; requiring a local jurisdiction to remit revenue generated from the use of speed monitoring systems to the Comptroller for deposit to the General Fund of the State if the revenue is not spent within a certain period of time; requiring a political subdivision to submit a certain report under certain circumstances; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; providing that certain provisions of this Act do not apply to certain speed monitoring systems in Montgomery County; 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), 7–301(a), 7–302(e), and 10–311
Annotated Code of Maryland

(2006 Replacement Volume and 2008 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–616(o)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 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 2008 Supplement)

BY adding to
Article – Transportation
Section 21–810
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 314 – Delegate Rudolph and the Speaker (By Request – Administration)

AN ACT concerning

Maryland Environmental Service – Energy Generation Projects

FOR the purpose of authorizing the Maryland Environmental Service to engage in certain energy projects and services; clarifying the authority of the Service to provide recycling and certain other projects; altering certain exemptions for the Service from certain provisions relating to finance and procurement; authorizing counties and municipalities to enter into certain agreements with the Service without regard to certain limitations or other provisions regulating the procurement or awarding of public contracts; confirming the authority of the Service to establish and collect rates, fees, and charges for certain projects, products, and services; authorizing the Service to collect certain unpaid rates, fees, and charges by tax sale; altering the authority of the Service to issue certain bonds and notes; authorizing counties and municipalities to enter into certain agreements with the Service for energy projects; clarifying the

jurisdiction of the Public Service Commission over disputes regarding certain rates, fees, and other charges exacted by the Service; altering certain notice requirements; altering certain reporting requirements of the Service; altering certain definitions; defining a certain term; and generally relating to the Maryland Environmental Service.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–101, 3–102, 3–103(g), 3–104, 3–105, 3–107, 3–108, 3–113, 3–116 through 3–118, 3–120, 3–122, 3–126, 3–127, and 3–128
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 3–129 and 3–130
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

House Bill 315 – Delegate Barve and the Speaker (By Request – Administration) and Delegates Ali, Barkley, Barnes, Beidle, Benson, Bobo, Branch, Bronrott, Cane, Cardin, Carr, V. Clagett, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Healey, Hecht, Holmes, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Lee, Levi, Levy, Malone, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Pena–Melnyk, Pendergrass, Ramirez, Reznik, Rosenberg, Ross, Schuler, Stein, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Greenhouse Gas Emissions Reduction Act of 2009

FOR the purpose of setting forth certain findings of the General Assembly; requiring the Department of the Environment to publish and update certain inventories based on certain measures on or before certain dates; requiring the State to reduce greenhouse gas emissions by a certain amount by a certain date and to develop a certain plan, adopt certain regulations, and implement certain programs that reduce greenhouse gas emissions; requiring the Department to submit a proposed plan to the Governor and the General Assembly on or before a certain date; requiring the Department to make the plan available to the public; requiring the Department to convene a series of public workshops for comment on the plan; requiring the Department to adopt a final plan in accordance with certain requirements on or before a certain date; requiring the

Department to consult with State and local agencies under certain circumstances; prohibiting State agencies from adopting certain regulations; requiring an institution of higher education in the State to conduct a certain study and submit it to the Governor and the General Assembly on or before a certain date; requiring the Governor to appoint a certain task force consisting of certain representatives to oversee the study; authorizing certain greenhouse gas emissions sources to receive certain credits under certain circumstances; requiring the Department to submit a certain report to the Governor and the General Assembly in accordance with certain requirements on or before a certain date; authorizing the General Assembly to maintain, revise, or eliminate certain greenhouse gas emissions reduction requirements under certain circumstances; requiring the Department to monitor the implementation of a certain plan and to submit certain reports to the Governor and the General Assembly on or before certain dates; defining certain terms; making the provisions of this Act severable; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the termination of a certain provision of this Act; and generally relating to the reduction of greenhouse gas emissions.

BY adding to
Article – Environment
Section 2–1201 through 2–1211 to be under the new subtitle "Subtitle 12. Greenhouse Gas Emissions Reductions"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

House Bill 316 – Delegate Rosenberg and the Speaker (By Request – Administration) and Delegates Ali, Anderson, Barnes, Benson, Bobo, Branch, Burns, Cane, Carter, V. Clagett, Conaway, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, Kirk, Krysiak, Lafferty, Lee, Love, Manno, McIntosh, Mizeur, Montgomery, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Ramirez, Reznik, Robinson, Stukes, Tarrant, Taylor, V. Turner, Valderrama, and Vaughn

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 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; providing that it is the intent of the General Assembly that certain services shall be funded by savings resulting from the repeal of the death penalty; requiring the Governor's Office of Crime Control and Prevention to submit a certain report to certain committees; requiring that certain funds be administered by the Governor's Office of Crime Control and Prevention; 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
(2008 Replacement Volume and 2008 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
(2008 Replacement Volume)

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
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b), and 7–107(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing
Article – Criminal Law

Section 2–103(h), 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 2008 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–505(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–812(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 317 – The Speaker (By Request – Administration) and Delegates Kramer, Ali, Barkley, Barnes, Bobo, Bronrott, Conaway, Dumais, Dwyer, Frank, Heller, Hucker, Jennings, Kaiser, Kelly, Lee, Levi, Manno, McComas, McConkey, McDonough, Miller, Niemann, Ramirez, Reznik, Rice, Rosenberg, Rudolph, Schuler, Shewell, Simmons, Smigiel, Sophocleus, Taylor, Valderrama, and Waldstreicher

AN ACT concerning

Silver Alert Program – Establishment

FOR the purpose of requiring the Department of State Police to establish a Silver Alert Program to disseminate information to assist in locating certain missing persons who suffer certain impairments; requiring the Department to adopt guidelines and develop procedures for issuing a Silver Alert for a certain missing person; requiring the Department to provide training to local law enforcement agencies on the guidelines and procedures to be used to handle a report of a certain missing person; requiring the Department to provide assistance to a local law enforcement agency as necessary to assist in the safe recovery of certain missing persons; requiring the Department to recruit certain persons to assist in developing and implementing the Silver Alert Program; requiring the Department to consult with the State Highway Administration to

establish a certain plan for providing information to the public; requiring the Department to consult with the State Board of Education to develop a program to allow high school students to assist in the search for a missing person and receive student service credit; requiring a certain person to notify a certain local law enforcement agency and the Department regarding certain information under certain circumstances; defining certain terms; and generally relating to the establishment of a Silver Alert Program.

BY adding to
Article – Public Safety
Section 3–604
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 318 – Delegates Barkley, Montgomery, and Reznik

AN ACT concerning

Health Insurance – Coverage, Reimbursement, and Benefits – Counties, County School Systems, and State Employee and Retiree Health and Welfare Benefits Program

FOR the purpose of making certain provisions of law relating to health insurance coverage, required reimbursement, and required benefits applicable to counties, county school systems, and the State Employee and Retiree Health and Welfare Benefits Program; providing for the application of this Act; and generally relating to health insurance requirements for counties, county school systems, and the State Employee and Retiree Health and Welfare Benefits Program.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 23–101 to be under the new title "Title 23. Health Benefit Plans"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Education
Section 4–127
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–502
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Environmental Matters.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 19 – Senator Colburn

AN ACT concerning

Dorchester County – Sheriff – Salary

FOR the purpose of establishing the salary for the Sheriff of Dorchester County for certain calendar years; repealing references to the County Commissioners of Dorchester County and substituting references to the County Council of Dorchester County; establishing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Dorchester County; and generally relating to the salary of the Sheriff of Dorchester County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(k)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 22 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Sheriff's Salary

FOR the purpose of altering the salary of the Sheriff of Caroline County; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Caroline County; and generally relating to the salary of the Sheriff of Caroline County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(g)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 67 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Corporations and Associations – Proof of Good Standing for Foreign Business Entities

FOR the purpose of requiring certain foreign business entities that are required to register or qualify to do business in Maryland to provide the State Department of Assessments and Taxation certain proof of good standing in the jurisdictions where the foreign business entities currently are organized; and generally relating to registration and qualification requirements for foreign business entities.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 4A–1002, 7–202, 7–203, 9A–1101, and 10–902
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

JOINT SESSION

Delegates Frick and Haddaway escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Senate Roll Call No. 75)

Speaker Busch called for the House roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 33)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators McFadden, Jacobs and Kramer and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Kasemeyer, Kittleman and Gladden and Delegates Rice, Ivey and Frank 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

REMARKS OF GOVERNOR MARTIN O'MALLEY

(See Exhibit C of Appendix II)

Senators Kasemeyer, Kittleman and Gladden and Delegates Rice, Ivey and Frank escorted the Chief Executive from the Chamber.

Senators McFadden, Jacobs and Kramer and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor from the Chamber.

Delegate Barve moved the Chief Executive's remarks be journalized.

The motion was adopted.

Senator Kasemeyer moved the Chief Executive's remarks be journalized.

The motion was adopted.

Senator Kasemeyer moved the Senate be adjourned.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 34)

ADJOURNMENT

At 12:55 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 30, 2009.

Annapolis, Maryland
Friday, January 30, 2009

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon S. Cardin of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 35)

The Journal of January 29, 2009 was read and approved.

EXCUSES:
Del. Bohanan – congressional business/out of country
Del. Donoghue – doctor's appointment
Del. Harrison – doctor's appointment
Del. Hixson – business
Del. Mizeur – business meeting in Baltimore
Del. Vallario – personal

INTRODUCTION OF BILLS

House Bill 319 – Delegates McConkey and Beidle

AN ACT concerning

Anne Arundel County – Highway Rights–of–Way – Authority to Remove Illegal Outdoor Signs

FOR the purpose of authorizing, in Anne Arundel County, any employee of a unit of State or local government to remove and dispose of certain outdoor signs erected or maintained in a highway right–of–way in violation of certain provisions of law; clarifying language; and generally relating to the authority to remove outdoor signs in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–701(e)
Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–748
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 320 – Delegates George, Aumann, Bartlett, Beidle, Boteler, Cardin, V. Clagett, Costa, Eckardt, Elliott, Elmore, Frank, Gilchrist, Haddaway, Howard, Ivey, Kipke, Krebs, McComas, Murphy, Myers, Norman, Schuh, Serafini, Shank, Shewell, Sossi, Stocksdale, Stukes, Walker, and Walkup

AN ACT concerning

Voltage Regulation Technology – Income Tax Subtraction Modification

FOR the purpose of allowing a subtraction modification under the Maryland individual and corporate income tax for expenses incurred to purchase and install certain voltage regulation technologies; providing for the application of this Act; defining a certain term; and generally relating to an income tax subtraction modification for expenses incurred to purchase certain voltage regulation technologies.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 321 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Old Blair High School Auditorium

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007 and Chapter 219 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(AR) and ZA02(AV)

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

House Bill 322 – Delegates Hixson, Bartlett, Elmore, Gilchrist, Gutierrez, Howard, Ivey, Kaiser, Murphy, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Libraries – Funding – State Library Resource Center

FOR the purpose of altering the minimum allocations per resident that the State Library Resource Center shall receive for operating and capital expenses in certain fiscal years; and generally relating to funding for the State Library Resource Center.

BY repealing and reenacting, without amendments,
Article – Education
Section 23–201
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 23–205(d)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 323 – Delegates Waldstreicher, Ali, Anderson, Barkley, Barnes, Bartlett, Beidle, Benson, Burns, Cane, Carr, V. Clagett, Conaway, DeBoy, Doory, Dumais, Feldman, Frick, Gilchrist, Gutierrez, Haddaway, Hecht, Heller, Hixson, Hucker, Kach, Kelly, Kipke, Kramer, Krebs, Krysiak, Kullen, Lee, Levi, Love, Manno, Mathias, McComas, McConkey, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnyk, Reznik, Rice, Rosenberg, Ross, Schuler, Shewell, Simmons, Smigiel, Stein, Tarrant, Taylor, V. Turner, Valderrama, Vallario, Walker, Weldon, and Wood

AN ACT concerning

Texting While Driving Ban of 2009

FOR the purpose of prohibiting the use of a wireless communication device to write, send, or read a text message while operating a moving motor vehicle; establishing certain exceptions to the prohibition; providing that certain use of a wireless communication device does not constitute writing, sending, or reading a text message for purposes of this Act; and generally relating to the use of a wireless communication device while operating a motor vehicle.

BY adding to
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 324 – Delegates Taylor, Kaiser, and Montgomery

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County – Damascus Heritage Museum

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to extend the deadline by which the Board of Directors of the Damascus Heritage Society, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA02 (AX)

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

House Bill 325 – Delegates Hixson, Hucker, and Mizeur

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 $70,000, 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 Appropriations.

House Bill 326 – Delegates Weir, Burns, Holmes, McConkey, Minnick, Nathan–Pulliam, and Olszewski

AN ACT concerning

Procurement – Minority Business Enterprises – Retention of Certification and Status and Participation in the Minority Business Enterprise Program

FOR the purpose of authorizing the certification agency for the minority business enterprise (MBE) program to allow, for a certain period of time, a minority business enterprise that graduates from the MBE program to retain its certification number and participate in the MBE program as if it were a certified minority business enterprise; and generally relating to the authority of the certification agency for the MBE program to allow certain businesses to retain a certain certification and status and participate in the minority business enterprise program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–301(a), (b), (c), and (d) and 14–303(b)(1) and (12) and (c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–304
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 327 – Delegates Beitzel, Bates, Elliott, Elmore, Jennings, Kelly, Kipke, Krebs, McComas, Miller, Myers, Norman, Riley, Shank, Shewell, and Stocksdale

AN ACT concerning

Natural Resources – Black Bear Damage – Funds for Reimbursement

FOR the purpose of requiring application fees for the black bear hunting permit lottery to be used to reimburse certain persons for certain damage; and generally relating to reimbursement for certain damage caused by black bears.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–423.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 328 – Delegate Niemann

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 2008 Supplement)

BY adding to
Article – Criminal Law
Section 7–106.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 329 – Delegate Krysiak

AN ACT concerning

Business Occupations and Professions – Individual Tax Preparers – Registration Requirements

FOR the purpose of altering certain qualifications that an individual must meet to register as an individual tax preparer; requiring the Department of Labor, Licensing, and Regulation to develop a certain examination that meets certain requirements; altering the form and content of a certain examination given by the State Board of Individual Tax Preparers; and generally relating to requirements for registration as an individual tax preparer.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 21–301
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 21–302 through 21–304
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 330 – Delegates Anderson, Braveboy, Burns, Carr, G. Clagett, Conway, Dumais, Elmore, George, Glenn, Haddaway, Hammen, Morhaim, Norman, Shank, Sophocleus, Sossi, Stein, and Walkup

AN ACT concerning

Criminal Law – Manslaughter and Vehicular Manslaughter – Penalties

FOR the purpose of altering the possible term of imprisonment for a conviction for the crime of manslaughter or vehicular manslaughter; and generally relating to the crimes of manslaughter and vehicular manslaughter.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–207(a) and 2–209(d)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 2–209(a), (b), and (c)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 331 – Delegate Stifler

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors Fund

FOR the purpose of establishing the State Commission of Real Estate Appraisers and Home Inspectors Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; repealing a provision of law requiring the State Commission of Real Estate Appraisers and Home Inspectors to pay certain money into the General Fund of the State; authorizing the Commission to set certain fees for its services beginning on a certain date; requiring the Commission to publish a certain fee schedule; requiring the Commission to pay certain fees to the Comptroller beginning on a certain date; requiring the Comptroller to distribute certain fees to the Fund; altering certain application, renewal, reinstatement, and license fees; providing for the purpose, administration, composition, use, investments, and expenditures of the Fund; requiring the Legislative Auditor to audit the Fund; requiring the Secretary of Labor, Licensing, and Regulation, in consultation with the Commission, to calculate certain costs annually; requiring the Commission to establish fees based on certain calculations beginning on a certain date; prohibiting certain fees from increasing more than a certain amount each year; defining certain terms; requiring that certain fees in effect on a certain date shall remain in full force and effect until certain other fees are adopted and made effective; providing for a delayed effective date; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors Fund.

BY repealing
Article – Business Occupations and Professions
Section 16–217
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 16–217
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–303(a), 16–308(c), 16–310, 16–3A–03, 16–3A–05, 16–3A–08(a), 16–505, 16–510(c), 16–512, 16–5A–01(b), and 16–5A–04(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–3A–07(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 160 of the Acts of the General Assembly of 2008)

BY adding to
Article – Business Regulation
Section 2–106.7 and 2–106.8
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 332 – Delegates Frank, Aumann, Bartlett, Bates, Beitzel, Boteler, Bromwell, Conaway, Dwyer, Eckardt, Elliott, Elmore, George, Haddaway, Impallaria, Jennings, Kach, Kelly, Kirk, Kramer, Krebs, McComas, McConkey, McDonough, Miller, Myers, Norman, O'Donnell, Riley, Robinson, Schuh, Schuler, Serafini, Shank, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, and Walkup

AN ACT concerning

Victims of Crime – Burglary and Crimes of Violence – Civil Immunity

FOR the purpose of providing that a person may not be liable for damages for a personal injury or death of an individual who enters the person's dwelling or

place of business with the intent to commit certain crimes under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to providing certain immunity from civil liability to a victim of certain crimes under certain circumstances.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–808
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 6–202 through 6–204 and 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 333 – Delegate Beitzel

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easement Properties – Natural Gas Drilling

FOR the purpose of authorizing a landowner whose land is subject to a certain agricultural easement to drill for natural gas; and generally relating to authorized uses of land subject to an agricultural land preservation easement.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–513(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 334 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Wine and Beer Tasting License – Off–Site Retail Delivery Procedures – Fees

FOR the purpose of requiring the Garrett County Board of License Commissioners to charge an issuing fee of a certain amount for a wine and beer tasting license; authorizing an alcoholic beverages licensee or an employee of the licensee to make an off–site retail delivery of alcoholic beverages under certain circumstances; requiring that certain delivery forms be submitted to the Board on or before a certain day of the month following the delivery; requiring the Board to adopt certain regulations; altering certain fees; making certain stylistic changes; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–406.1 and 10–503(m)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 10–502(d) and 12–301(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 335 – Delegate Beitzel

AN ACT concerning

State Government – Hoye Crest on Backbone Mountain – Highest Point in Maryland

FOR the purpose of designating Hoye Crest on Backbone Mountain as the highest point in the State.

BY adding to
Article – State Government
Section 13–322
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 336 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – American Visionary Arts Museum

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 American Visionary Arts 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; 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 Appropriations.

House Bill 337 – Delegates Hixson, Doory, Frick, Gilchrist, Gutierrez, Howard, Ivey, Kaiser, Murphy, Rice, Ross, and Stukes

AN ACT concerning

Streamlined Sales and Use Tax Agreement

FOR the purpose of removing a certain contingency on the adoption by the State of the Streamlined Sales and Use Tax Agreement; requiring the Comptroller on or before a certain date to prepare and submit certain draft legislation and proposed regulations relating to the implementation of the Agreement to the Governor, the Senate Budget and Taxation Committee, and the House Committee on Ways and Means; and generally relating to the implementation of the Streamlined Sales and Use Tax Agreement.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–106
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 338 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland Science Center Green Roof Project

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 the Maryland Academy of Sciences 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 Appropriations.

House Bill 339 – Delegates Anderson, Carter, Ali, Barkley, Benson, Carr, Conaway, Dumais, Dwyer, Harrison, Hucker, Ivey, Lee, Manno, Morhaim, Nathan–Pulliam, Norman, Simmons, Stukes, Tarrant, Taylor, V. Turner, and Valderrama

AN ACT concerning

Education Funding – Maintenance of Effort – Slots Revenue

FOR the purpose of requiring that expenditures from the Education Trust Fund to primary and secondary education be in addition to State general funds provided for certain State aid for education; and generally relating to the use of the Education Trust Fund for State aid for education.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–30
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 340 – Delegates Hixson, Bartlett, Barve, Cardin, Elmore, Gilchrist, Gutierrez, Howard, Ivey, Jennings, Kaiser, Krebs, Murphy, Rice, Ross, Stukes, F. Turner, Valderrama, and Walker

AN ACT concerning

Income Tax Credit for Services Donated to Community Health Organizations

FOR the purpose of allowing a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health care services to low–income individuals on a certain basis; allowing certain community health organizations to submit proposals to the Department of Health and Mental Hygiene for allocation of the available credit for approved programs; allowing a community health organization to assign the tax credit allocated to the organization's program to certain health care professionals who

donate services to the community health organization's approved program; requiring the Department to certify to the Comptroller the applicability of the credit for each health care professional; limiting the total available credit that may be allocated for each taxable year; requiring the Department to adopt certain regulations; defining certain terms; requiring a certain study to 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 a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health care services to low–income individuals.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 341 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Chesapeake Center for Youth Development

FOR the purpose of authorizing the creation of a State Debt not to exceed $382,000, the proceeds to be used as a grant to the Board of Directors of the Chesapeake Center for Youth 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 Appropriations.

House Bill 342 – Delegates Taylor, Rice, Hixson, and Hucker

AN ACT concerning

Public Education – Education Trust Fund – Use of Funds

FOR the purpose of requiring that expenditures from the Education Trust Fund be additional funding for public elementary and secondary education, community

colleges, and public senior higher education institutions and not supplant any existing funding; and generally relating to the use of the Education Trust Fund.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–30
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 343 – Delegates Howard, Aumann, Barkley, Bobo, Boteler, Cane, Davis, Dwyer, Glenn, Griffith, Harrison, Hecht, Holmes, Jones, Love, McDonough, Pena–Melnyk, Proctor, Rice, Riley, Robinson, Stein, Stocksdale, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Consumer Protection – Disclosure of Personal Information by Credit Card Issuers – Limitations

FOR the purpose of prohibiting credit card issuers from disclosing certain personal information of a cardholder without a certain authorization; requiring credit card issuers to provide a certain notice to certain cardholders at certain times; specifying the contents of the notice; providing that a cardholder's disclosure authorization is effective until the occurrence of a certain event; providing that the revocation of a disclosure authorization is subject to the rights of a credit card issuer that acted in a certain manner; requiring a credit card issuer to obtain a disclosure authorization for certain credit card accounts; requiring credit card issuers to retain certain disclosure authorizations or copies of the disclosure authorizations; 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 certain enforcement and penalty provisions; defining certain terms; and generally relating to required authorizations for the disclosure of personal information of cardholders by credit card issuers.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 344 – Delegates Howard, Aumann, Barkley, Bobo, Boteler, Braveboy, Cane, Carter, Dwyer, Glenn, Griffith, Guzzone, Harrison,

Hecht, Holmes, Jones, Kaiser, Pena–Melnyk, Proctor, Rice, Robinson, Stein, Stocksdale, Taylor, F. Turner, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Consumer Protection – Sale or Distribution of Personal Information – Limitations

FOR the purpose of prohibiting certain businesses from disclosing to a third party, for compensation, certain personal information obtained in a certain manner; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal, State, or local law; establishing a private right of action for an individual affected by a violation of certain provisions of this Act; prohibiting units of State government from selling or distributing certain mailing lists under certain circumstances; providing certain exceptions; defining certain terms; and generally relating to the sale or distribution of personal information obtained or prepared by businesses or units of State government.

BY adding to
Article – Commercial Law
Section 14–3701 through 14–3704 to be under the new subtitle "Subtitle 37. Disclosure of Personal Information Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–624(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 345 – Delegates Love and Beidle

AN ACT concerning

Workers' Compensation – Sole Proprietors – Coverage

FOR the purpose of establishing that a certain sole proprietor is a covered employee under workers' compensation law unless the sole proprietor makes a certain election on a certain form; altering the requirements for submission of a certain form; eliminating the circumstances under which an individual is presumed to be a sole proprietor who is not a covered employee; and generally relating to covered employment for sole proprietors.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–227 and 9–508
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 346 – Delegates Love, Beidle, V. Clagett, Costa, Dwyer, George, King, Kipke, Schuh, and Sophocleus

AN ACT concerning

Bay Restoration Fund – Nitrogen–Removing Septic Systems

FOR the purpose of authorizing the use of the Bay Restoration Fund for certain costs incurred by local governments in inspecting certain projects related to the performance of nitrogen–removing septic systems; and generally relating to the use of the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2)(ix)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 347 – Delegates Love, Beidle, V. Clagett, Costa, George, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Linthicum Veterans Memorial

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 Linthicum Veterans Memorial, 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 Appropriations.

House Bill 348 – Delegates Love, Beidle, V. Clagett, Costa, George, King, and McConkey

AN ACT concerning

Anne Arundel County – Board of Education – Student Member Scholarship

FOR the purpose of establishing a certain scholarship for the student member of the Anne Arundel County Board of Education who fulfills a certain requirement; providing that this Act does not apply to the incumbent student board member; and generally relating to the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–110(g)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 349 – Washington County Delegation

AN ACT concerning

Washington County – Mental Health Advisory Committee

FOR the purpose of authorizing the governing body of Washington County to designate Washington County Mental Health Authority, Inc., as the mental health advisory committee for Washington County; and generally relating to mental health advisory committees.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–308
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 350 – Washington County Delegation

AN ACT concerning

Washington County – Board of Education – President and Members Salary

FOR the purpose of altering the salary of the president and members of the Washington County Board of Education; providing that this Act does not apply to the salary or compensation of an incumbent president or member of the county board; and generally relating to the salary of the president and members of the Washington County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1302(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 351 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Washington County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; and generally relating to alcoholic beverages in Washington County.

BY adding to
Article 2B – Alcoholic Beverages
Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–522
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 352 – Delegates Love, Sophocleus, Beidle, V. Clagett, Costa, George, and Schuh

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Benson–Hammond House 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 Anne Arundel 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 Appropriations.

House Bill 353 – Delegates Barnes, Frush, Pena–Melnyk, and Ross

AN ACT concerning

Public Institutions of Higher Education – Firearms, Knives, and Deadly Weapons – Prohibition

FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, and deadly weapons at public institutions of higher education; providing for certain exceptions to this prohibition; and generally relating to the carrying or possession of firearms, knives, and deadly weapons at public institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–102
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 354 – Delegates Barnes, Anderson, Carter, Conaway, Dumais, Dwyer, Levi, McConkey, Ramirez, Schuler, Simmons, Smigiel, Valderrama, and Waldstreicher

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
Article 5(a) and 23

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

House Bill 355 – Delegates Barnes, Anderson, Carter, Conaway, Dumais, Dwyer, Levi, McConkey, Ramirez, Schuler, Simmons, Smigiel, Valderrama, and Waldstreicher

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 2008 Supplement)

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

House Bill 356 – Delegates Barnes and Frush (By Request)

AN ACT concerning

Criminal Law – Reckless Endangerment – Use of a Motor Vehicle

FOR the purpose of establishing that a person may not recklessly create a substantial risk of death or serious physical injury to another by driving a motor vehicle through or into a part of a building or structure that is not designed or intended to accommodate motor vehicles if the person knows or has reason to know that the building or structure is occupied; establishing that a certain penalty applies to a violation of this Act; and generally relating to the crime of reckless endangerment and the use of a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–204
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 357 – Delegate Barnes

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

FOR the purpose of prohibiting certain plumbing materials containing more than a certain amount of lead from being used in the installation or repair of plumbing intended to dispense water for human consumption; prohibiting the sale of certain plumbing materials containing more than a certain amount of lead; requiring the State Board of Plumbing to adopt certain regulations; defining certain terms; providing for a delayed effective date; and generally relating to the lead content of materials used in plumbing.

BY adding to
Article – Business Occupations and Professions
Section 12–101(h–1) and (q), 12–605.1, and 12–605.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–205(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 12–605(a)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 358 – Delegates Weir, Boteler, Carr, Glenn, Hucker, Niemann, Norman, Shewell, and Sossi

AN ACT concerning

Vehicle Laws – Driver Improvement Programs – Deduction of Accumulated Points

FOR the purpose of authorizing an individual who has accumulated a certain number of points on the individual's driving record to request the Motor Vehicle Administration to deduct a certain number of points from the individual's driving record if the individual attends a certain driver improvement program or driver safety program; prohibiting the Administration from deducting more than a certain number of points from an individual's driving record in a certain time period; requiring the Administration to apply a certain point deduction in a certain manner; requiring the Administration to provide a certain notification to an individual who accumulates a certain number of points; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–212
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–404
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 359 – Delegates McConkey, Carter, Kramer, McComas, and Valderrama

AN ACT concerning

Public Safety – Handgun Permits – Victims of Domestic Violence

FOR the purpose of specifying that an applicant for a handgun permit who is eligible for relief under the spousal domestic violence law for whose benefit a court has issued a temporary or final protective order meets a certain standard in order to be issued a handgun permit by the Secretary of State Police; making a certain

stylistic change; and generally relating to the issuance of handgun permits by the Secretary of State Police to certain applicants for whose benefit a court has issued a temporary or final protective order.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 360 – Delegates Love and V. Clagett

AN ACT concerning

Anne Arundel County Tourism and Economic Development Promotion Act of 2009

FOR the purpose of requiring Anne Arundel County to impose a hotel tax at a certain rate; requiring Anne Arundel County to distribute certain revenue from the hotel tax to certain organizations and to the county's general fund; making a technical correction; repealing an obsolete provision; and generally relating to the Anne Arundel County hotel tax.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–602
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 361 – Washington County Delegation

AN ACT concerning

Public Safety – Hagerstown Community College Police Force

FOR the purpose of establishing a police force for the Hagerstown Community College; specifying the powers of a Hagerstown Community College police officer;

requiring the Board of Trustees of the Hagerstown Community College to adopt certain standards and regulations; including a member of the police force of the Hagerstown Community College in the defined term "police officer" in connection with provisions of law relating to the authority to make arrests; including a member of the police force of the Hagerstown Community College in the defined term "law enforcement officer" in connection with provisions of law relating to the Maryland Police Training Commission and the Law Enforcement Officers' Bill of Rights; and generally relating to the police force of the Hagerstown Community College.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(22) and (23)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–101(c)(24)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 16–407.1
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(1)(ii)21. and 22. and 3–201(e)(1)(ii)18. and 19.
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 3–101(e)(1)(ii)23. and 3–201(e)(1)(ii)20.
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 362 – Delegates Ali, Frush, Glenn, Holmes, Niemann, Stein, Stull, and Weir

AN ACT concerning

Moving Violation Points Accountability Act

FOR the purpose of establishing that points assessed against an individual's driving record are to be retained for a period of time that commences on the date of the conviction of the violation for which the points are assessed; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–407
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 363 – Delegates Taylor, V. Turner, Anderson, Barnes, Benson, Carr, Feldman, Ramirez, Rice, Robinson, and Ross

AN ACT concerning

Public Safety – Potomac River Bridges Security Zone Pilot Program

FOR the purpose of establishing the Potomac River Bridges Security Zone Pilot Program in the Department of State Police; providing that the purpose of the Program is to provide a certain security zone in the water surrounding certain bridges on the Potomac River; requiring the Department to contract with a private security firm to patrol a certain security zone surrounding certain bridges; requiring a private security firm under the Program to patrol a certain security zone in a certain manner and perform certain functions; providing for Program funds; requiring the Secretary of State Police to submit a certain report concerning the Program annually to the General Assembly on or before a certain date; providing for the termination of this Act; defining a certain term; and generally relating to the Potomac River Bridges Security Zone Pilot Program.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 2–101(a), (e), and (l) and 2–301(a)(1)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 2–314
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 364 – Delegates Burns, Anderson, Benson, Braveboy, Conaway, Doory, Dwyer, Frank, Gaines, Harrison, Howard, Hubbard, Ivey, Kach, Love, McConkey, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Robinson, Smigiel, Stukes, Tarrant, F. Turner, V. Turner, and Walker

AN ACT concerning

Task Force to Study State Employment Assistance for Ex–Felons

FOR the purpose of establishing a Task Force to Study State Employment Assistance for Ex–Felons; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair 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 Task Force to Study State Employment Assistance for Ex–Felons.

Read the first time and referred to the Committee on Economic Matters.

House Bill 365 – Delegates Hixson, Bartlett, Doory, Elmore, Gilchrist, Gutierrez, Howard, Ivey, Jennings, Kaiser, Pena–Melnyk, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Labor and Employment – Adult Education and Literacy Grants – Funding Formula

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation 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 Adult Education and Literacy Services Office 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 and reenacting, without amendments,
Article – Labor and Employment
Section 11–801
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–806
Annotated Code of Maryland
(2008 Replacement Volume)
(As enacted by Chapter 134 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 65 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation) and Senators Kasemeyer, McFadden, Robey, Brinkley, Edwards, Jones, King, Kramer, Madaleno, Munson, Peters, Stoltzfus, and Zirkin

EMERGENCY BILL

AN ACT concerning

State Retirement and Pension System – Line of Duty Death Benefits – Maryland Transportation Authority Employees

FOR the purpose of extending certain death benefits under certain circumstances to surviving spouses, certain minor children, or dependent parents of certain deceased members of the State Retirement and Pension System employed by the Maryland Transportation Authority; making this Act an emergency

measure; and generally relating to line of duty death benefits for surviving spouses, minor children, and dependent parents of deceased members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Chapter 519 of the Acts of the General Assembly of 2008
Section 2

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

Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Maryland Whistleblower Law – Confidentiality of Information Obtained During Investigations of Complaints

FOR the purpose of establishing that information obtained during investigations of complaints conducted under the Maryland Whistleblower Law is confidential within the meaning of certain provisions of law; providing for the application of this Act; and generally relating to the Maryland Whistleblower Law in the Executive Branch of State government.

BY adding to
Article – State Personnel and Pensions
Section 5–314
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Human Services – Child Welfare Workforce

FOR the purpose of altering certain provisions relating to the training and testing of certain child welfare caseworkers; and generally relating to the child welfare workforce.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 4–301
Annotated Code of Maryland

(2007 Volume and 2008 Supplement)

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

Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Notice of Cancellation or Nonrenewal – Mailing Address

FOR the purpose of requiring certain notices of cancellation or nonrenewal to be sent to the named insured at a certain address; and generally relating to notices of cancellation or nonrenewal.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 12–106(f)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–602(b), (c), and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Joint Resolution 2 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, and Pugh

A Senate Joint Resolution concerning

The Jim McKay Maryland Million

FOR the purpose of urging the Maryland Million LTD to rename the day of racing known as the Maryland Million in memory of Jim McKay, rename a certain trophy in memory of Jim McKay, and continue to sponsor Maryland Million races annually at Laurel Park, except under certain circumstances; and generally relating to the dedication of the Maryland Million to the memory of Jim McKay.

Read the first time and referred to the Committee on Rules and Executive Nominations.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 154	HGO and APP

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 36)

ADJOURNMENT

At 11:22 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 2, 2009.

Annapolis, Maryland
Monday, February 2, 2009

The House met at 8:04 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Craig Rice of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 37)

The Journal of January 30, 2009 was read and approved.

EXCUSES:
Del. Bohanan – congressional business/out of country
Del. Davis – illness
Del. Griffith – illness
Del. Myers – business
Del. Vallario – personal

INTRODUCTION OF BILLS

House Bill 366 – Delegates Rosenberg, Anderson, Braveboy, Carter, Dumais, Pena–Melnyk, Ramirez, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Criminal Procedure – Petition for Writ of Actual Innocence – Newly Discovered Evidence

FOR the purpose of authorizing a convicted person to file a petition for writ of actual innocence in a certain court if the person claims that there is newly discovered evidence that meets certain requirements; establishing requirements for a petition filed under this Act; requiring the court to hold a hearing on the petition under certain circumstances, with a certain exception; authorizing the court to take certain actions in ruling on the petition; requiring the court to state on the record the reasons for its ruling on the petition; establishing that a petitioner in a proceeding under this Act has the burden of proof; and generally relating to newly discovered evidence and petitions for writs of actual innocence.

BY adding to
Article – Criminal Procedure
Section 8–301 to be under the new subtitle "Subtitle 3. Newly Discovered Evidence"
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 367 – Delegate Malone

EMERGENCY BILL

AN ACT concerning

Maryland Quiet Vehicles and Pedestrian Safety Task Force – Extension and Membership

FOR the purpose of extending the duration of the Maryland Quiet Vehicles and Pedestrian Safety Task Force; altering the membership of the Task Force; altering the date on which the final findings and recommendations of the Task Force are due; requiring the Task Force to report its final findings and recommendations to the Governor; making this Act an emergency measure; making a certain technical correction; and generally relating to the Maryland Quiet Vehicles and Pedestrian Safety Task Force.

BY repealing and reenacting, with amendments,
Chapter 384 of the Acts of the General Assembly of 2008
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 385 of the Acts of the General Assembly of 2008
Section 1 and 2

Read the first time and referred to the Committee on Environmental Matters.

House Bill 368 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Doory, Hammen, Kirk, McHale, McIntosh, Oaks, Robinson, and Rosenberg

AN ACT concerning

Baltimore City Health Department – Overdose Prevention Pilot Program

FOR the purpose of establishing an Overdose Prevention Pilot Program in the Baltimore City Health Department; authorizing the Baltimore City Health Department to issue and renew certain certificates to certain individuals,

conduct certain educational and training programs and written and oral examinations, approve certain educational and training programs and written and oral examinations, and charge certain fees; requiring certain educational and training programs to include certain information; requiring applicants for a certificate to meet certain qualifications and to perform certain acts; requiring the Baltimore City Health Department to issue a certificate to an applicant who meets certain requirements; requiring certain information to be included on the certificate; providing for the renewal and replacement of a certificate; authorizing a certificate holder to perform certain acts; providing immunity for certain persons acting under certain circumstances; providing that certain provisions of this Act do not affect, and may not be construed as affecting, certain immunities or defenses; providing that this Act may not be construed to create a duty to obtain a certificate; providing that an individual may not be held civilly liable under certain circumstances; requiring the Secretary of Health and Mental Hygiene, in consultation with the Baltimore City Health Department, to adopt certain regulations; requiring a certain report on or before a certain date and annually thereafter; defining certain terms; providing for the termination of this Act; and generally relating to the Overdose Prevention Pilot Program in the Baltimore City Health Department.

BY adding to
Article – Health – General
Section 24–8A–01 through 24–8A–10 to be under the new subtitle "Subtitle 8A. Overdose Prevention Pilot Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 369 – Delegates Ali, Gilchrist, Gutierrez, Ivey, Manno, McComas, Montgomery, Reznik, Shewell, Stukes, and Valderrama

AN ACT concerning

Special Election for US Senate Vacancies Act

FOR the purpose of altering the process for filling a vacancy in the office of United States Senator; repealing the authority of the Governor to make an appointment to fill a vacancy in the office of United States Senator under certain circumstances; requiring the Governor to issue a proclamation to call for a special election to fill a vacancy in the office of United States Senator under certain circumstances; authorizing the Governor to fill a vacancy in the office of United States Senator temporarily under certain circumstances; providing for the application of this Act; and generally relating to filling a vacancy in the office of United States Senator.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–601
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–602
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 370 – Delegates King, Frush, Haddaway, Harrison, Impallaria, Kelly, Kirk, Love, Manno, Minnick, Stifler, Taylor, and V. Turner

AN ACT concerning

Maryland Locksmiths Act

FOR the purpose of requiring a certain business to be licensed by the Secretary of Labor, Licensing, and Regulation before the business may provide locksmith services; providing for the purpose of this Act; providing that this Act does not limit the rights of certain individuals to engage in locksmith services; authorizing the Secretary to adopt certain regulations for the licensure and regulation of locksmiths; requiring all money collected by the Secretary to be paid into the General Fund of the State; establishing certain application procedures for obtaining a locksmith license; requiring certain owners of businesses that are applicants and licensees to apply to the Central Repository for a certain criminal history records check; requiring certain applicants to submit fingerprints and a certain fee to the Central Repository; requiring the Central Repository to provide the Secretary with certain information; requiring certain information to be confidential and used for certain purposes; requiring licensees to maintain certain general liability insurance that meets certain requirements; requiring a licensee to provide a certain notice of cancellation of a certain general liability insurance policy within a certain time period; authorizing the issuance and renewal of certain licenses by the Secretary; authorizing the issuance of certain photo identification cards by certain licensed locksmiths; providing for the expiration and renewal of certain licenses; establishing requirements for the display, carrying, replacement, and change of name for certain licenses; authorizing the Secretary 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 locksmiths; establishing certain content, keeping, reporting, and transmittal requirements for certain invoices or receipts for service; requiring certain advertisements to include the name and

license number of a licensed locksmith; prohibiting certain acts; providing for certain civil and criminal penalties; requiring certain persons performing locksmith services to be licensed on or before a certain date; requiring the Secretary to submit a certain report including certain information to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to the licensure and regulation of locksmiths.

BY adding to
Article – Business Regulation
Section 12.5–101 through 12.5–601 to be under the new title "Title 12.5. Locksmiths"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 371 – Charles County Delegation

AN ACT concerning

Motor Vehicles – Low Speed Vehicle – Definition

FOR the purpose of altering the defined term "low speed vehicle" to include a qualifying nonelectric vehicle; and generally relating to low speed vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–130.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1125, 22–101(e), 23–104, and 25–102(a)(17)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 372 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages Violations – Penalties

FOR the purpose of increasing certain penalties for alcoholic beverages violations in Charles County; providing that the Charles County Board of License

Commissioners may impose both a fine and a license suspension for an alcoholic beverages violation; and generally relating to penalties for alcoholic beverages violations in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–507(j)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–1001
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 373 – Charles County Delegation

AN ACT concerning

Criminal Law – Lawful Wiretapping – Sexual Offense in the Third Degree

FOR the purpose of providing that it is lawful for an investigative or law enforcement officer, under certain circumstances, to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of a sexual offense in the third degree; and generally relating to the lawful interception of wire, oral, or electronic communications in the investigation of sexual offenses in the third degree.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)(2)(ii)1.D.
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 374 – Delegate Reznik

AN ACT concerning

Radiation Therapists, Radiographers, Nuclear Medicine Technologists, and Radiologist Assistants – Renewal Requirements for Licenses

FOR the purpose of repealing a certain renewal requirement for certain licensed radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants; requiring certain licensees to meet any additional license renewal requirements established by the State Board of Physicians; and generally relating to radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–5B–12(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 375 – Delegates Weir, Ali, Boteler, Carr, Glenn, Hucker, Niemann, Shewell, and Sossi

AN ACT concerning

Vehicle Laws – Off–Highway Vehicles – Titling and Registration

FOR the purpose of creating an Off–Highway Vehicle Fund in the Department of Natural Resources; establishing the purpose of the Fund; requiring the Secretary of Natural Resources to administer the Fund; providing that the Fund is a continuing, nonlapsing fund not subject to certain provisions of law; requiring the Fund to be administered in a certain manner; providing for the composition of the Fund; providing that expenditures from the Fund may only be used for certain purposes and in accordance with the State budget; creating an Off–Highway Vehicle Trails Advisory Committee; providing for the membership and duties of the Committee; providing for the appointment of the chair and vice chair of the Committee; providing for the staffing of the Committee; prohibiting a member of the Committee from receiving certain compensation or reimbursement; defining "off–highway vehicle"; providing that an off–highway vehicle that is purchased before a certain date does not need a certificate of title until after a certain date unless the vehicle is transferred to a new owner; requiring an off–highway vehicle to be registered with the Motor Vehicle Administration; exempting certain off–highway vehicles from registration requirements; requiring that certain information be included with an application for registration of an off–highway vehicle; requiring the dealer of an off–highway vehicle to take certain actions if the vehicle is transferred to someone other than a licensed dealer; requiring the Administration to issue to the owner of a registered off–highway vehicle a registration decal; requiring that certain information be included on the registration decal; prohibiting an individual from operating an off–highway vehicle unless a registration decal and any validation tab issued is attached to and displayed on the vehicle;

providing for the expiration of registration decals; requiring the Administration to adopt regulations to govern the issuance, display, and expiration of registration decals; requiring registration decals to be issued and displayed in accordance with a schedule established by the Administration; requiring the Administration to refund a registration fee under certain circumstances; authorizing the Administration to design temporary registration decals and provide them to certain licensed dealers; authorizing certain entities to transmit electronically titling and registration information and issue permanent registration decals; authorizing the Administration to establish the amount of the registration fee for an off–highway vehicle; requiring the Administration to retain a certain portion of the revenues from the registration of an off–highway vehicle; requiring the Administration to remit certain funds to the Comptroller for deposit into the Off–Highway Vehicle Fund; requiring a certain person who sells an off–highway vehicle to provide certain information to the buyer; prohibiting an individual from operating an off–highway vehicle on a highway with a certain exception; prohibiting an individual from operating an off–highway vehicle on a controlled access highway; establishing certain requirements for the operation of an off–highway vehicle on private property; providing that an off–highway vehicle is not required to be inspected when ownership is transferred; repealing certain provisions of law that authorize counties to regulate the operation of, require registration for, and impose a registration fee for off–the–road motorcycles; providing that, for purposes of determining a certain excise tax, the fair market value of a new or used off–highway vehicle is the total purchase price as verified to the satisfaction of the Administration by certain documents; requiring the Department of Transportation and the Department of Natural Resources to submit certain reports; providing for the construction of this Act; and generally relating to off–highway vehicles.

BY adding to
Article – Natural Resources
Section 5–209.1 and 5–209.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 11–140.1, 13–411.2, 13–937.2, and 21–1127
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–101.1, 13–402(b), and 13–808
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–102, 13–402(a) and (c), 13–403, 13–410(a) and (b), 13–412, 13–413, 13–601, 13–610, 13–809, 15–112, and 23–106
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Article – Transportation
Section 25–102.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 376 – Delegate Schuler

AN ACT concerning

Criminal Procedure – Concurrent Court Jurisdiction – Second or Subsequent Offense of Failure to Register with Sex Offender Registry

FOR the purpose of providing that the jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case in which a person is charged with a second or subsequent offense of knowingly failing to register, knowingly failing to provide a certain notice, or knowingly providing false information of a material fact as required under provisions relating to registration of sexual offenders; and generally relating to criminal court jurisdiction.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704(a), 11–705(d), (e), and (f), and 11–721
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–301 and 4–302(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 377 – Delegate Feldman

AN ACT concerning

Business Regulation – Registration of Retail Service Station Dealers and Sale of Gasoline Products

FOR the purpose of extending the expiration date of the conditional prohibition against the Comptroller on the issuance of a certificate of registration to a retail service station dealer who markets motor fuel through a retail service station that has been altered, enlarged, or structurally modified; altering the date after which a producer, refiner, or wholesaler of motor fuel is required to extend voluntary allowances uniformly to all retail service station dealers that are supplied by the producer, refiner, or wholesaler; and generally relating to certificates of registration for retail service station dealers and the sale of gasoline products.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–304 and 10–312
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 378 – Delegate Feldman

AN ACT concerning

Corporations – Corporate Documents, Fractional Shares, and Redemption of Stock

FOR the purpose of repealing a certain requirement that the original or a certified copy of the bylaws of a corporation, including amendments to them, be kept at the corporation's principal office; authorizing a corporation to eliminate fractional shares of stock by rounding up, but not down, to a full share of stock; increasing the amount of the aggregate net asset value of shares that a corporation may redeem from a stockholder under certain circumstances; authorizing a certain statement of affairs of a corporation to be placed on file, in a certain form, at the corporation's principal office or at any other office or agency specified in the bylaws of the corporation; requiring a written request for certain persons to inspect and copy certain documents of a corporation; requiring a corporation, within a certain time period after a certain request for a certain document is presented to an officer or the resident agent of the corporation, to have the requested document available on file at the corporation's principal office; making certain clarifying and conforming changes; and generally relating to corporate documents, fractional shares, and redemption of stock.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations

Section 2–110, 2–214(a), 2–310.1, 2–313, and 2–512
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 2–510
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 379 – Delegates Olszewski, Cardin, Walker, Boteler, Braveboy, Bromwell, Frush, Griffith, Healey, Hixson, Howard, Hubbard, Ivey, Kach, Kaiser, Minnick, Pena–Melnyk, Rice, Ross, Schuler, Stukes, F. Turner, V. Turner, and Valderrama

AN ACT concerning

Education – Reporting Requirement – Class Size

FOR the purpose of requiring the State Department of Education to develop a uniform data collection method to track a certain number of certain students in a classroom teacher's class by the beginning of a certain academic year; requiring a certain data collection method to reflect a certain number of certain students in a certain class as of a certain date; requiring each county board of education to implement a certain data collection method and report the results of this data collection to the Department on or before a certain date; requiring the Department to report to the General Assembly regarding certain data on or before a certain date; defining a certain term; and generally relating to a uniform data collection method to determine the number of students who participate in a classroom teacher's class.

BY adding to
Article – Education
Section 7–119
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 380 – Charles County Delegation

AN ACT concerning

Charles County – Workers' Compensation – Auxiliary Volunteer of Sheriff's Office

FOR the purpose of establishing that each auxiliary volunteer of the Charles County Sheriff's Office is a covered employee while performing work assigned by the Sheriff of the county; and generally relating to workers' compensation coverage of volunteers in the Charles County Sheriff's Office.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–233
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 381 – Delegate Levy

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 $250,000, 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 Appropriations.

House Bill 382 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Creation of a State Debt – Baltimore County – New Town High School Stadium

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 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 Appropriations.

House Bill 383 – Delegates Jones, Bronrott, Gaines, Hubbard, and Mizeur

AN ACT concerning

Managing for Results – Evidence–Based Practices

FOR the purpose of requiring the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to submit to the Department of Budget and Management certain descriptions of the use of certain evidence–based practices for certain purposes; requiring that certain descriptions include certain items; and generally relating to the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, managing for results, and evidence–based practices.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–1002(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 384 – Delegates Stein, Cardin, Lafferty, and Morhaim

AN ACT concerning

Creation of a State Debt – Baltimore County – HopeWell Cancer Support Facility

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 HopeWell Cancer Support, 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 Appropriations.

House Bill 385 – Delegates Kaiser, Bates, Bronrott, Carr, Frick, Gutierrez, Holmes, Reznik, Taylor, V. Turner, and Waldstreicher

AN ACT concerning

Insurance – In Vitro Fertilization Benefit – Definition of Successful Pregnancy

FOR the purpose of defining a "successful pregnancy" as a pregnancy that results in a live birth for the purposes of determining the in vitro fertilization insurance benefit; and generally relating to the in vitro fertilization insurance benefit.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–810
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 386 – Delegates Kaiser, Carr, Gutierrez, Kipke, Montgomery, Robinson, and V. Turner

AN ACT concerning

Physicians – Patient Health Information Privacy Rights – Form and Distribution

FOR the purpose of requiring certain physicians to distribute certain information that is protected by a certain privacy rule; requiring certain information to be written using certain language; requiring certain physicians to post a certain sign in a certain location that states certain information; defining certain terms; and generally relating to physicians distributing information about patient health information privacy rights.

BY adding to
Article – Health Occupations
Section 14–508
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 387 – Delegates Malone and George and Delegates Aumann, Bartlett, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, G. Clagett, V. Clagett, Conway, Costa, DeBoy, Donoghue, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Haddaway, Hecht, Impallaria, James, Jameson, Jennings, Kach, Kelly, King, Kipke, Krebs, Kullen, Levy, Love, Mathias, McComas, McConkey, McDonough, Miller, Minnick, Myers, Norman, O'Donnell, Olszewski, Riley, Rudolph, Schuh, Schuler, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stocksdale, Stull, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Vehicle Laws – Drivers' Licenses, Identification Cards, and Moped Operators' Permits – Proof of Legal Presence

FOR the purpose of adding a requirement to provide certain documentation certifying that an individual is either a United States citizen or is lawfully present in the United States in accordance with federal law to the requirements for the issuance of a driver's license, an identification card, or a moped operator's permit; 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 States citizen or is lawfully present in the United States in accordance with federal law; prohibiting the Administration from issuing to certain individuals a driver's license, identification card, or moped operator's permit that has certain effective terms; making a certain technical correction; and generally relating to individuals who are not lawfully present in the United States and the issuance of identification cards, drivers' licenses, and moped operators' permits.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–128 and 16–106(a) and (e)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(a) and (i), 16–103.1, 16–104.2, and 16–115(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–106(e)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 388 – Delegate Simmons

AN ACT concerning

Criminal Law – Narcotic Drugs – 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 2008 Supplement)

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

House Bill 389 – Delegates Taylor, Boteler, Carr, Carter, Feldman, Haynes, Hixson, Holmes, Hucker, Manno, Rice, Robinson, Ross, Shewell, Tarrant, and V. Turner

AN ACT concerning

Minority Business Enterprise Program – Prohibitions and Penalties for Contractors

FOR the purpose of prohibiting certain contractors from engaging in certain acts when submitting a bid or proposal or performing a contract under certain circumstances; requiring the Board of Public Works to impose certain penalties against certain contractors; requiring the Board to consider certain factors when determining certain penalties; requiring the Governor's Office of Minority Affairs to make available a certain hotline for the use of certain minority business enterprises to report a certain violation by a contractor; and generally relating to prohibitions and penalties for contractors under the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–308
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 390 – Delegates Pendergrass, Carr, DeBoy, Eckardt, Guzzone, Hecht, Holmes, Howard, Manno, McDonough, Montgomery, Riley, Smigiel, Sophocleus, Sossi, F. Turner, Valderrama, and Walkup

AN ACT concerning

Homestead Property Tax Credit – Eligibility of Employees of the Federal Government Stationed Out of State

FOR the purpose of providing that a homeowner who is an employee of the federal government stationed out of state may qualify for the homestead property tax credit if the homeowner is otherwise eligible for the credit but does not actually reside in a dwelling for the required time period under certain circumstances; providing for the calculation of the homestead property tax credit for a certain taxable year under certain circumstances; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(a)(1) through (3) and (b)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(c)(6)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 391 – Delegates Rosenberg, Dumais, Gutierrez, Ivey, Rice, Ross, and F. Turner

AN ACT concerning

Voter's Rights Protection Act of 2009

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 certain activities, with respect to any item of campaign material that contains certain fraudulent representations or implications; prohibiting the use of electronic

mail or telephone facilities or equipment with the intent to prevent, obstruct, or delay the broadcast or exchange of certain registration information or the registration of a person having a lawful right to register; prohibiting the use of electronic mail or telephone facilities or equipment with the intent to prevent, obstruct, or delay the broadcast or exchange of election–related information, or the use of a telecommunications device to engage in certain communication; making conforming changes; defining certain terms; prohibiting certain election officials from preventing an individual from registering to vote or allowing a challenge to an individual's registration status under certain circumstances; prohibiting a person from willfully and knowingly engaging in certain conduct and submitting certain evidence as the basis to challenge the right of certain individuals to register to vote or to vote; authorizing a court to impose certain penalties under certain circumstances; authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; making technical changes; requiring the State Administrator of Elections and the Office of the Attorney General to review and report on issues relating to voting over the Internet; and generally relating to voter registration and 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, 16–101, 16–201, and 16–1002
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Election Law
Section 13–401.1 and 16–201.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 392 – Delegates Malone and DeBoy

AN ACT concerning

Baltimore County – State Highways – Prohibition on Use for Solicitation

FOR the purpose of prohibiting, in Baltimore County, a person from standing in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; providing that this Act applies only to State highways in Baltimore County; and generally relating to restrictions on the use of State highways for solicitation in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 21–507(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 393 – Delegates Rosenberg, Oaks, Reznik, and Weldon

AN ACT concerning

Discrimination in Employment – Expansion of Disability Rights

FOR the purpose of altering the definition of disability applicable to certain provisions of law prohibiting discrimination in employment; prohibiting an employer from failing or refusing to make certain reasonable accommodations for certain disabilities of certain employees; providing that an employer is not required to reasonably accommodate an employee's disability if the accommodation would cause certain undue hardship; prohibiting an employer or labor union from retaliating against a certain individual because the individual has taken certain action; and generally relating to discrimination in employment.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–601(b), 20–603, and 20–606
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ___ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–601(c), (d), (e), and (h)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ___ (H.B. 51) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 394 – Delegates Nathan–Pulliam, Burns, and Jones

AN ACT concerning

Creation of a State Debt – Baltimore County – Automotive Vocational Training 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 the National Center on Institutions and Alternatives, 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 Appropriations.

House Bill 395 – Delegates Hubbard, Frush, and Ross

AN ACT concerning

Environment – Ammonia Emissions from Animal Waste on Poultry Farms – Reporting

FOR the purpose of requiring certain facilities to submit certain reports that include certain information; requiring certain reports to be made to the Department of the Environment at certain intervals; requiring certain reports submitted to the Department be made available to the public; providing for alternative methods of submitting certain reports; defining certain terms; and generally relating to reporting of ammonia emissions from animal waste on poultry farms.

BY adding to
Article – Environment
Section 2–10A–01 and 2–10A–02 to be under the new subtitle "Subtitle 10A. Ammonia Emission Reporting"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 396 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates McIntosh, Kirk, Robinson, and Rosenberg

AN ACT concerning

Baltimore City – Vehicle Laws – Speed Monitoring Systems

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Baltimore City; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Baltimore City; requiring certain local police departments in Baltimore City to mail citations to the owners of vehicles that are recorded by speed monitoring systems in Baltimore City in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Baltimore City Department of Finance or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Baltimore City Department of Finance and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; and generally relating to the imposition of liability, in Baltimore City, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 397 – Delegate Rosenberg

AN ACT concerning

Education – Loan Repayment Assistance and Scholarship – Priority for Participation and Eligibility

FOR the purpose of removing the requirement that a student attend a postsecondary institution in the State to be eligible for the Janet L. Hoffman Loan Assistance Repayment Program; altering certain criteria for determining priority for participation in the Janet L. Hoffman Loan Assistance Repayment Program; removing the requirement that a student attend a postsecondary institution in the State to be eligible for the Walter Sondheim Jr. Public Service Summer Internship Scholarship Program; removing the requirement that a student attend a postsecondary institution in the State to use the William Donald Schaefer Scholarship; and generally relating to the Janet L. Hoffman Loan

Assistance Repayment Program, the Walter Sondheim Jr. Public Service Summer Internship Scholarship Program, and the William Donald Schaefer Scholarship.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1502(b)(1)(i), 18–1503(a)(3), 18–1701(b), and 18–2703(d)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 398 – Delegate Rosenberg

AN ACT concerning

Estates – Disqualification of Persons Convicted of Unlawfully Obtaining Property from Vulnerable Adults

FOR the purpose of clarifying that a person convicted of a certain prohibition against unlawfully obtaining property from a vulnerable adult shall be disqualified from inheriting, taking, enjoying, receiving, or otherwise benefitting from the estate, insurance proceeds, or property of the vulnerable adult under certain circumstances; and generally relating to the estates of vulnerable adults.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–801
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–111
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 399 – Delegate Rosenberg

AN ACT concerning

Orphans' Court – Jurisdictional Limit – Questions of Title to Personal Property

FOR the purpose of increasing the limit on the amount involved for jurisdiction of an orphans' court in the determination of questions of title to personal property; and generally relating to the jurisdiction of an orphans' court under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 1–301
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 400 – Delegates V. Clagett, Beidle, Costa, Frush, George, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Yacht Club License

FOR the purpose of altering certain requirements that a yacht club in Anne Arundel County must meet to be issued a special Class C (yacht club) alcoholic beverages license; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(c)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 401 – Delegates Simmons, Kramer, Smigiel, Frank, and Jennings

AN ACT concerning

Criminal Law – Proceeds from Drug Crimes – Misdemeanor

FOR the purpose of establishing that a person is guilty of a misdemeanor if the person violates the law prohibiting a person, with the intent to promote a drug crime or

with the intent to conceal or disguise the nature, location, source, ownership, or control of proceeds of a drug crime, from taking certain actions with respect to the proceeds derived from a drug crime in circumstances in which the proceeds that are derived from the drug crime are less than a certain amount; providing penalties for a violation of this Act; and generally relating to proceeds from drug crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–623
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 402 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Education – Baltimore City Community College – Academic Facility Bonds

FOR the purpose of increasing the amount of available bond debt for Baltimore City Community College; authorizing Baltimore City Community College to issue bonds for academic facilities; and generally relating to bonding authority and Baltimore City Community College.

BY repealing and reenacting, with amendments,
Article – Education
Section 19–102
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 403 – Delegates V. Clagett, Busch, George, Beidle, Costa, Kipke, Love, McConkey, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Historic London Town Visitors Center and Museum Loan of 2001

FOR the purpose of amending the Anne Arundel County – Historic London Town Visitors Center and Museum Loan of 2001 to change the grantee from the Board of Directors of The London Town Foundation, Inc. to the County Executive and County Council of Anne Arundel County; altering the purpose of the loan; and

generally relating to amending the Anne Arundel County – Historic London Town Visitors Center and Museum Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2008
Section 1

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

House Bill 404 – Delegates Stein, Cardin, and Morhaim

AN ACT concerning

Creation of a State Debt – Baltimore County – Owings Mills High School Stadium

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 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 Appropriations.

House Bill 405 – Delegates Pena–Melnyk, Ali, Benson, Braveboy, Bromwell, Costa, Donoghue, Elliott, Hubbard, Ivey, Kach, Kipke, Kullen, Levi, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Reznik, Riley, Tarrant, V. Turner, Valderrama, and Weldon

AN ACT concerning

Health Insurance – Mandated Benefits – Breast Cancer Screening

FOR the purpose of requiring certain insurers, nonprofit health service plans, health maintenance organizations, and the State Employee and Retiree Health and Welfare Benefits Program to provide coverage for breast cancer screening in accordance with certain guidelines; repealing certain requirements for coverage of certain mammograms by certain insurance policies and nonprofit health service plans; repealing a certain definition; making certain requirements applicable to health maintenance organizations; making certain conforming changes; providing for the applicability of this Act; and generally relating to health insurance coverage for breast cancer screening.

BY repealing and reenacting, with amendments,
Article – Insurance

Section 15–814
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–502 and 2–503(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 2–503(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 406 – Delegates Holmes, Ali, Aumann, Barkley, Barnes, Bobo, Boteler, Cane, Carr, V. Clagett, Gutierrez, Howard, Hubbard, Ivey, Lafferty, Rice, Robinson, Ross, Shewell, Sossi, F. Turner, V. Turner, Valderrama, Walker, Walkup, and Weir

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 under certain circumstances; requiring the Maryland Insurance Commissioner to ensure certain provisions of the Fund's installment payment plan; prohibiting the Fund from discriminating among insureds in a certain manner; prohibiting the Fund from paying a higher commission to certain producers; requiring certain written and electronic communications to include a certain statement under certain circumstances; requiring the Fund's Executive Director, in consultation with the Commissioner and other State agencies, to develop certain criteria for a certain evaluation of the impact and effectiveness of the Fund's installment payment plan; requiring the Fund to determine certain information and the Board of Trustees of the Fund to certify the information to the Board of Directors of the Industry

Automobile Insurance Association on or before a certain date each year; requiring the Fund to submit on or before a certain date a certain report to the Commissioner; authorizing the Commissioner to make a certain determination under certain circumstances; requiring the Commissioner to make a certain determination on certain dates; requiring the Commissioner to retain a certain actuary and hold a certain hearing under certain circumstances; requiring a premium finance company, in the event of a certain insurance policy cancellation, to credit to a certain account or refund to a certain insured a certain amount within a certain time; requiring an independent insurance producer to provide a certain disclosure; requiring the Commissioner to study the enforcement of eligibility criteria for insurance coverage in the Fund; requiring the Fund to provide certain information to the Office of Legislative Audits on or before a certain date; requiring the Office to evaluate the overall costs of the Fund's installment payment plan on or before a certain date; requiring the Commissioner to submit certain reports; requiring the Office to submit a certain report; providing for the application of certain provisions of this Act; providing for the effective dates 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–404, 20–507, 23–304, and 23–505.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 407 – Delegates McConkey, Frank, and Jennings

AN ACT concerning

Criminal Procedure – Jurors – Peremptory Challenges

FOR the purpose of altering the number of peremptory challenges to jurors allowed to each party in certain criminal trials.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–420
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

House Bill 408 – Delegate Malone

EMERGENCY BILL

AN ACT concerning

Automotive Dismantlers, Recyclers, and Scrap Processors – Notice of Vehicle Acquisition

FOR the purpose of expanding the exception to the requirement that an automotive dismantler and recycler or scrap processor provide certain notice of vehicle acquisition to include vehicles obtained through an out–of–state salvage certificate; making this Act an emergency measure; and generally relating to notice of vehicle acquisition by automotive dismantlers, recyclers, and scrap processors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–511
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 409 – Delegates Anderson, Barkley, Frank, Glenn, Kelly, Robinson, Schuler, and Valderrama

AN ACT concerning

Criminal Law – Assault – Law Enforcement Officers and Parole and Probation Agents

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 parole or probation agent engaged in performing the agent's official duties; 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 parole and probation agents.

BY repealing and reenacting, without amendments,
Article – Criminal Law

Section 3–201
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 410 – Delegates Robinson, Bates, Boteler, Braveboy, Conaway, Dwyer, Glenn, Harrison, Haynes, Howard, Kirk, Levi, Oaks, Stukes, Tarrant, Vaughn, and Walker

AN ACT concerning

Minority Business Enterprise Program – Eligibility

FOR the purpose of altering the amount of the cap on the personal net worth requirement for certification as a minority business enterprise; and generally relating to requirements for certification as a minority business enterprise.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 411 – Delegate Hubbard

AN ACT concerning

Community Mental Health Services Programs – Financial Statements and Salary Information

FOR the purpose of requiring a community mental health services program to submit annually certain financial statements and salary information in accordance with certain regulations; authorizing the Mental Hygiene Administration to impose a certain penalty on a community mental health services program for failing to submit certain financial statements and salary information; and generally relating to financial statements and salary information of community mental health services programs.

BY adding to
Article – Health – General
Section 10–901.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 412 – Delegate Hubbard

AN ACT concerning

Mental Health Programs and Facilities – Reports of Death

FOR the purpose of defining the term "program or facility" so as to restrict the application of certain reporting requirements regarding the death of certain individuals to certain mental health programs and facilities; altering a certain reporting requirement regarding the location of the body; specifying that certain programs or facilities are required to submit only one report of death; requiring the administrative head of certain nonresidential psychiatric rehabilitation programs to make reports of death by a certain time; and generally relating to reports of death by mental health programs and facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–714
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 413 – Delegates Kaiser, Ali, Barkley, Bronrott, Carr, Frick, Frush, Gutierrez, Hecht, Holmes, Hubbard, Hucker, Jennings, Jones, Kach, Lafferty, Lee, Manno, Montgomery, Morhaim, Olszewski, Reznik, Rice, Riley, Ross, Schuler, and Walker

AN ACT concerning

Election Law – Ballot Issue Committee – Additional Campaign Finance Report

FOR the purpose of requiring a ballot issue committee to file a campaign finance report on or before a certain date preceding a general election; and generally

relating to the filing of an additional campaign finance report by a ballot issue committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–309
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)
(As enacted by Chapters 40 and 510 of the Acts of the General Assembly of 2006, Chapters 219 and 449 of the Acts of the General Assembly of 2007, and Chapter 543 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Ways and Means.

House Bill 414 – Delegates Reznik, Ali, and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Northgate Homes Lighting Upgrade

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of Northgate Homes 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 Appropriations.

House Bill 415 – Delegates Kullen, Benson, Costa, Hubbard, Kipke, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Tarrant, and V. Turner

AN ACT concerning

Mental Hygiene Administration – Rights of Individuals with Mental Disorders in Facilities

FOR the purpose of altering certain policies of the State concerning the rights of individuals with mental disorders who receive services in certain facilities; repealing the authority of staff in certain facilities to use a certain technique to transition individuals to a restraint position; defining certain terms; and generally relating to the rights of individuals with mental disorders in facilities that provide treatment to individuals with mental disorders.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–701
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 416 – Delegates Rudolph, Barkley, Feldman, Hecht, Minnick, Pendergrass, Rosenberg, and Taylor

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

FOR the purpose of prohibiting a person from selling or offering to sell certain goods and services for a certain price during a state of emergency; prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency; creating a certain exception; requiring the Office of the Attorney General to provide a person an opportunity to present evidence that a price increase was not unlawful; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; altering a certain definition; defining certain terms; and generally relating to the sale of goods and services during or following a state of emergency.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–101(a)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 14–101(c)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 14–1101 through 14–1104 to be under the new subtitle "Subtitle 11. Essential Goods and Services"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 417 – Delegates Benson, Ali, Anderson, Elmore, Gaines, Haynes, Healey, Hixson, Kaiser, Kipke, Malone, Manno, Montgomery, Nathan–Pulliam, Reznik, Tarrant, Taylor, F. Turner, and V. Turner

AN ACT concerning

State Government – Human Relations – Discrimination by Business Establishments Against Individuals with Disabilities

FOR the purpose of guaranteeing individuals with disabilities full and equal access to business establishments; prohibiting a business establishment from denying or abridging the right to full and equal access of an individual with a disability; establishing that each individual denial or abridgement of rights constitutes a violation of the requirements of this Act; prohibiting a business establishment from violating the Americans with Disabilities Act; providing a certain exception; providing an administrative remedy for an aggrieved individual; providing a private right of action for an aggrieved individual; providing for certain damages and other relief that may be awarded to an aggrieved individual; authorizing a court to award certain costs and reasonable fees to the prevailing party; providing for the construction of this Act; defining certain terms; and generally relating to disability discrimination by business establishments.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ___ (H.B. 51) of the Acts of the General Assembly of 2009)

BY adding to
Article – State Government
Section 20–5A–01 through 20–5A–05 to be under the new subtitle "Subtitle 5A. Discrimination by Business Establishments Against Individuals with Disabilities"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ___ (H.B. 51) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 418 – Delegate Benson

AN ACT concerning

Crimes – Prohibition of Sale of Kits, Pipes, Cigarette Rolling Papers, and Cigar Leaf Wrappers – County Ordinances

FOR the purpose of authorizing the legislative body of a county to adopt an ordinance that prohibits a person from selling, subject to an exception, cocaine freebase kits, glass or ceramic tubes of a certain size that are sold with or without a screen–like device, cigarette rolling papers, and cigar leaf wrappers; providing that a commercial wholesale or retail establishment may sell cigarette rolling papers and cigar leaf wrappers under certain circumstances; authorizing a county to impose certain criminal and civil penalties; and generally relating to drug paraphernalia.

BY adding to
Article – Criminal Law
Section 5–619.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 419 – Delegate Hubbard

AN ACT concerning

Maryland Health and Wellness Commission – Wellness Report Card Pilot Program

FOR the purpose of establishing the Maryland Health and Wellness Commission in the Department of Health and Mental Hygiene; providing for the purpose of the Commission; providing for the membership, staffing, and duties of the Commission; requiring the Governor to designate the chair of the Commission; establishing the Wellness Report Card Pilot Program; providing for the purpose of the Pilot Program; requiring the Department to designate the entity to establish a certain health report card; requiring the Wellness Report Card to include a certain evaluation; providing for the termination of this Act; providing that the Pilot Program shall be funded by private or federal grants; defining certain terms; and generally relating to the Maryland Health and Wellness Commission and the Wellness Report Card Pilot Program.

BY adding to
Article – Health – General
Section 13–2801 through 13–2807 to be under the new subtitle "Subtitle 28. Maryland Health and Wellness Commission"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 420 – Delegates Love, Beidle, V. Clagett, Costa, George, and Sophocleus

AN ACT concerning

Environment – Limitation of Actions – Political Subdivisions

FOR the purpose of extending to political subdivisions of the State a certain statute of limitations for suits instituted seeking a civil penalty for violations of certain environmental statutes or any rule, regulation, order, or permit adopted or issued in accordance with those statutes; providing for the application of this Act; and generally relating to the statute of limitations for civil suits for environmental violations.

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–303
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 38)

ADJOURNMENT

At 8:28 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 3, 2009 in memory of former Delegate Charles H. Smelser.

Annapolis, Maryland
Tuesday, February 3, 2009

The House met at 10:21 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnyk of Anne Arundel and Prince George's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 39)

The Journal of February 2, 2009 was read and approved.

EXCUSES:
Del. Bohanan – congressional business/out of country
Del. Conaway – personal
Del. Costa – business meeting
Del. Dwyer – personal
Del. McDonough – medical
Del. Pendergrass – death in family

INTRODUCTION OF BILLS

House Bill 421 – Delegates Miller, Bates, Costa, Dwyer, Elmore, George, King, Kipke, Krebs, McComas, O'Donnell, Shank, Shewell, Sossi, and Stocksdale

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Taxpayers' Bill of Rights

FOR the purpose of proposing an amendment to the Maryland Constitution that establishes a certain Bill of Rights for individual taxpayers in the State; requiring certain voter approval for new State or local taxes, tax rate increases, and repeal of tax exemptions; imposing certain spending limits on the State; requiring that a certain Rainy Day Fund be maintained; requiring that certain revenues received in excess of certain estimates be transferred to a certain

Rainy Day Fund; prohibiting use of the Rainy Day Fund except under certain circumstances; requiring that under certain circumstances certain balances in excess of certain amounts be returned to individual taxpayers; prohibiting certain transfers from State special funds to the State General Fund; prohibiting appropriations from State special funds that supplant General Fund appropriations or that if not made would necessitate a State General Fund appropriation; prohibiting the State from imposing certain obligations on local units of government under certain circumstances; providing for the severability of certain provisions; 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
Declaration of Rights
Article 15A

Read the first time and referred to the Committee on Ways and Means.

House Bill 422 – Delegates Shewell, DeBoy, Ali, Aumann, Barkley, Barnes, Beidle, Beitzel, Bohanan, Boteler, Branch, Bromwell, Bronrott, Burns, Cane, Carr, G. Clagett, Conway, Costa, Davis, Donoghue, Dumais, Eckardt, Elliott, Elmore, Frank, George, Glenn, Guzzone, Haddaway, Hecht, Heller, Holmes, Impallaria, James, Jennings, Kach, Kelly, King, Kipke, Kramer, Krebs, Kullen, Lafferty, Lee, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, McHale, Miller, Minnick, Montgomery, Morhaim, Norman, O'Donnell, Olszewski, Riley, Robinson, Rudolph, Schuh, Schuler, Serafini, Smigiel, Sophocleus, Sossi, Stein, Stocksdale, Stull, Tarrant, F. Turner, Valderrama, Waldstreicher, Walker, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Family Law – Child Custody and Visitation – Military Duty

FOR the purpose of requiring that, in a child custody or visitation proceeding involving a parent who is on certain active military duty, any order or modification of an existing child custody or visitation order issued by the court during certain active military duty of the parent specifically reference certain information; requiring a parent, under certain circumstances, to specifically reference certain information in a certain petition for child custody or visitation; requiring the court, if a certain petition is filed within a certain time period after the end of certain active military duty, to hear and rule on the petition on an expedited basis; authorizing the court, under extenuating circumstances, to hear and rule on a certain petition on an expedited basis whenever the petition is filed; establishing that the end of certain active military duty of a parent constitutes a material change of circumstances that affects the welfare of the child for purposes of modifying a child custody order; and generally relating to active military duty and child custody or visitation orders.

BY adding to
Article – Family Law
Section 9–107
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 423 – Delegate Bronrott

AN ACT concerning

Motor Fuel Tax – Indexing

FOR the purpose of providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods under certain circumstances; requiring the Comptroller to make certain determinations and announcements; providing for the payment of certain taxes on certain tax–paid motor fuel held as of certain dates; and generally relating to motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 424 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – South Bowie Boys and Girls Club Concession Stand

FOR the purpose of authorizing the creation of a State Debt in the amount of $50,000, the proceeds to be used as a grant to the Board of Directors of the South Bowie 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 Appropriations.

House Bill 425 – Delegates Eckardt, Haddaway, and Cane

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2009

FOR the purpose of authorizing the Dorchester County Board of License Commissioners to issue a Class B caterer's license to certain persons; providing an annual license fee; specifying the privileges conferred by the Class B caterer's license; specifying certain requirements that a holder of a caterer's license must meet and certain restrictions on the use of a caterer's license; requiring a holder of a caterer's license at a catered public event to issue wristbands to certain individuals; prohibiting the serving of alcoholic beverages to individuals without wristbands; authorizing the Board to issue a beer and wine sampling or tasting (BWST) license to certain persons; authorizing certain holders of a BWST license to hold only beer tastings or samplings; specifying certain conditions for the use of a BWST license; specifying certain maximum quantities of alcoholic beverages that may be consumed under certain conditions; specifying certain requirements for applying for a BWST license, resubmitting an application, and issuing a BWST license; specifying certain license fees; requiring that the holder of a BWST license dispose of certain alcoholic beverages at a certain time; clarifying a certain prohibition concerning the granting of a new license within a certain distance of certain buildings; exempting from the prohibition applications for certain licenses in certain municipalities and certain premises; repealing the authority of a holder of an on–sale alcoholic beverages license in the county to make sales at any time on New Year's Day; altering the annual compensation of the Chairman and the regular members of the Board; authorizing the county inspector to serve summonses; providing that this Act does not apply to the salary or compensation of the incumbent Chairman or regular members of the Board; and generally relating to alcoholic beverages in Dorchester County.

BY adding to
Article 2B – Alcoholic Beverages
Section 6–713 and 8–405.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–210, 15–109(k), and 16–410(b)(2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 11–402(k)
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 426 – Delegates Oaks, Carter, Rosenberg, Hammen, McHale, and Stukes

AN ACT concerning

Transportation – Baltimore Corridor Transit Study – Red Line Area

FOR the purpose of prohibiting the Maryland Transit Administration from acquiring certain real property, during a certain period, for construction of the Baltimore Corridor Red Line transit project; altering the period during which the Administration shall conduct a certain study; declaring the intent of the General Assembly regarding certain matters; and generally relating to the Baltimore Corridor Red Line Transit Study.

BY repealing and reenacting, with amendments,
Chapter 2 of the Acts of the General Assembly of the 2006 Special Session
Section 1

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the 2006 Special Session
Section 1

Read the first time and referred to the Committee on Environmental Matters.

House Bill 427 – Cecil County Delegation

AN ACT concerning

Cecil County – Employees of Cecil County Treasurer's Office

FOR the purpose of establishing that certain employees of the Cecil County Treasurer's Office shall be subject to the personnel policies and procedures governing County employees, subject to certain conditions; providing that the determination of an employee's qualifications and ability to serve in a position in the Treasurer's Office shall be at the sole discretion of the Treasurer; requiring a new employee of the Treasurer's Office to serve a probationary period of a certain length; authorizing the Treasurer to extend the probationary period of an employee; providing that employees of the Treasurer's Office that have served a certain period of time before a certain date are exempt from serving a probationary period, except under certain circumstances; requiring a newly created position in the Treasurer's Office to be placed in an unclassified, at–will category, except under certain circumstances; authorizing the Treasurer to adopt certain policies and procedures that supplement the County policies

and procedures; clarifying language; and generally relating to employees of the Cecil County Treasurer's Office.

BY repealing and reenacting, with amendments,
The Public Local Laws of Cecil County
Section 78–3
Article 8 – Public Local Laws of Maryland
(1989 Edition and November 2007 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 428 – Delegates Elliott, Bates, Boteler, Bromwell, Eckardt, Haddaway, Healey, Impallaria, King, Kipke, Krebs, Mathias, McComas, McDonough, Minnick, O'Donnell, Olszewski, Robinson, Schuh, Shewell, Stocksdale, Stull, Weir, and Weldon

AN ACT concerning

Property Tax – Semiannual Payment Schedule – Small Business Property

FOR the purpose of requiring the governing body of a county or the governing body of a municipal corporation to provide a semiannual payment schedule for State, county, municipal corporation, and special taxing district property taxes on certain real property; defining a certain term; providing for the application of this Act; and generally relating to a semiannual property tax payment schedule for certain real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 10–204.3
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 429 – Caroline County Delegation

AN ACT concerning

Caroline County – Sheriff – Salary

FOR the purpose of increasing the salary of the Sheriff of Caroline County to a certain amount; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Caroline County; and generally relating to the salary of the Sheriff of Caroline County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 2–309(g)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 430 – Delegates Elliott, Bartlett, Bates, Boteler, McComas, Myers, Shewell, Sossi, Stull, F. Turner, Walkup, and Weldon

AN ACT concerning

Vehicle Laws – Single Registration Plate

FOR the purpose of requiring the Motor Vehicle Administration to issue a single registration plate to all classes of vehicles; providing for the method of attachment of the registration plate; making certain conforming changes; authorizing the publisher of the Annotated Code to make certain corrections; and generally relating to vehicle registration plates.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–410 and 13–411
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 431 – Delegate Elmore

AN ACT concerning

Somerset County – Property Tax – Homestead Tax Credit Percentage

FOR the purpose of altering the maximum homestead property tax credit percentage in Somerset County; providing for the application of this Act; and generally relating to the homestead property tax credit percentage in Somerset County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 432 – Delegates Branch and Harrison

AN ACT concerning

Baltimore City – East Baltimore Community Recreation and Learning Center Loan of 2001

FOR the purpose of amending the Baltimore City – East Baltimore Community Recreation and Learning Center 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 June 1, 2011.

BY repealing and reenacting, with amendments,
Chapter 715 of the Acts of the General Assembly of 2001, as amended by Chapter 94 of the Acts of the General Assembly of 2002
Section 1

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

House Bill 433 – Delegate Malone

AN ACT concerning

Baltimore County – Emergency Vehicles – Sirens

FOR the purpose of requiring certain Baltimore County emergency vehicles to be equipped with a certain siren that emits a certain level of sound; and generally relating to sirens on Baltimore County emergency vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–218(a) and 22–401(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 434 – Delegates Malone, Conway, Costa, Jennings, Mathias, Morhaim, Rudolph, Stull, Weir, and Weldon

AN ACT concerning

State Government – Commemorative Days – Firemen and Rescue Workers Memorial Service

FOR the purpose of requiring the memorial service commemorating firemen and other rescue workers that is organized by a certain organization to be held annually

on a certain date at a certain place; and generally relating to the firemen and rescue workers memorial service.

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 435 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Olde Mill Community and Teaching Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of the Olde Mill 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 Appropriations.

House Bill 436 – Delegates Eckardt, Haddaway, and Cane

AN ACT concerning

Dorchester County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Dorchester County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; and generally relating to alcoholic beverages in Dorchester County.

BY adding to
Article 2B – Alcoholic Beverages

Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"; and 11–510(b)(15)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–510(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 437 – Delegates Elliott, Bartlett, Bates, Boteler, Krebs, McComas, Montgomery, Myers, Riley, Shewell, Sossi, Stukes, Stull, F. Turner, and Walkup

AN ACT concerning

Bicycles, Mopeds, and Motor Scooters – Minors – Protective Headgear

FOR the purpose of prohibiting a person who is under a certain age from operating or riding as a passenger on a motor scooter unless the person is wearing certain protective headgear; increasing the age below which the operator or passenger of a bicycle is required to wear certain protective headgear; clarifying that the defined term "bicycle" includes a moped; making certain stylistic changes; and generally relating to protective headgear requirements for an operator of or a passenger on a bicycle or motor scooter.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104 and 21–1207.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.1 and 11–134.5
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 438 – Delegate Feldman

AN ACT concerning

Joint Information Technology and Biotechnology Committee – Membership and Duties

FOR the purpose of codifying and renaming the Joint Technology Oversight Committee to be the Joint Information Technology and Biotechnology Committee; modifying the membership and duties of the Committee; and generally relating to the Joint Information 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 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 439 – Delegate Hucker

AN ACT concerning

Advisory Committee on the Naming of State Facilities, Roads, and Bridges – Repeal

FOR the purpose of repealing the Advisory Committee on the Naming of State Facilities, Roads, and Bridges and other related provisions of law.

BY repealing
Article – State Government
Section 2–10A–09
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 440 – Delegate Bromwell

AN ACT concerning

Health Insurance – Prompt Pay – Modifications and Clarifications

FOR the purpose of requiring an insurer, nonprofit health service plan, or health maintenance organization to comply with certain requirements when reprocessing a claim; clarifying that, notwithstanding compliance with certain notice requirements, if an insurer, nonprofit health service plan, or health maintenance organization fails to pay a certain claim or otherwise violates certain provisions of law, the insurer, nonprofit health service plan, or health maintenance organization shall pay interest on a certain amount; and generally relating to modifications and clarifications of prompt pay requirements for health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1005
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 441 – Delegate Bromwell

AN ACT concerning

Health Insurance – Coverage of Amino Acid–Based Elemental Formula – Modifications

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations that provide coverage to individuals who reside or work in the State to provide certain coverage for amino acid–based elemental formula; making certain technical corrections; providing for the application of this Act; and generally relating to modifications of health insurance coverage for amino acid–based elemental formula.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–843
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 40)

ADJOURNMENT

At 10:38 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 4, 2009.

Annapolis, Maryland
Wednesday, February 4, 2009

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 122 Members present.

(See Roll Call No. 43)

The Journal of February 3, 2009 was read and approved.

EXCUSES:
Del. Barkley – funeral
Del. Bartlett – illness
Del. Beidle – business
Del. Branch – personal
Del. Costa – illness
Del. Kaiser – funeral
Del. Kramer – funeral
Del. Manno – funeral
Del. Miller – business
Del. Pendergrass – death in family
Del. Rosenberg – personal
Del. Taylor – funeral

INTRODUCTION OF BILLS

House Bill 442 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages Licensees – Administrative Proceedings

FOR the purpose of adding Charles County to the list of counties in which the granting of probation before judgment to an alcoholic beverages licensee for selling or furnishing alcoholic beverages to an underage individual does not bar the Board of License Commissioners from proceeding administratively against

the licensee for the violation; and generally relating to alcoholic beverages licensees in Charles County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 12–108(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–108(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 443 – Delegates Montgomery, Barkley, Beidle, Boteler, Cane, Carr, Feldman, Glenn, Gutierrez, Hucker, Lee, Manno, Riley, F. Turner, V. Turner, and Waldstreicher

AN ACT concerning

Real Property – Restrictions – Clotheslines or Other Laundry Drying Devices

FOR the purpose of authorizing a homeowner or tenant to use a clothesline or other laundry drying device on the property of the homeowner or tenant notwithstanding the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other laundry drying devices on the property; prohibiting the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other laundry drying devices by a homeowner or tenant on residential property from prohibiting or restricting the right of a homeowner or tenant to use clotheslines or other laundry drying devices; authorizing the governing body of a condominium, homeowners association, or housing cooperative or a landlord to adopt reasonable rules and regulations regarding the timing, placement, and manner of use of clotheslines and other laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative, or a landlord to hold an open meeting before adopting proposed rules and regulations regarding the timing, placement, and manner of use of clotheslines and other laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative or a landlord to provide advance notice of the open meeting; providing for the application of this Act; and generally relating to the use of clotheslines and other laundry drying devices by homeowners and tenants.

BY adding to
Article – Real Property
Section 14–128.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 444 – Delegate Malone

AN ACT concerning

Vehicle Laws – Teen Driver Safety

FOR the purpose of increasing the minimum ages at which an individual may obtain a learner's instructional permit, provisional license, and original driver's license; requiring the Motor Vehicle Administration to fingerprint an applicant for a driving instructor's license and obtain certain criminal history records of the applicant; requiring the Administration to keep certain criminal history records confidential and available only to certain persons for a certain purpose; authorizing the Administration to consider certain costs in determining the annual driving instructor's license fee; increasing the maximum age under which an applicant for a learner's instructional permit is required to provide to the Administration a school attendance record; authorizing an applicant for a learner's instructional permit to provide to the Administration certain records instead of a school attendance record; increasing the maximum age of an applicant for a learner's instructional permit for the purpose of a prohibition against issuance of the permit if the applicant's school attendance record indicates more than a certain number of unexcused absences; prohibiting the Administration from issuing a learner's instructional permit to certain applicants who no longer attend school; repealing a certain time limit on the application of the prohibition against a holder of a provisional license who is a minor transporting an individual under a certain age as a passenger; making certain stylistic changes; providing for the application of certain provisions of this Act; and generally relating to teen driver safety.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–804, 15–805, 16–103, 16–105(a)(2) and (3), and 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–102 and 15–802
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 445 – Delegates Hixson, Doory, Howard, Ivey, and Kaiser

AN ACT concerning

Maryland Health Care Commission – Personalized Medicine – Study

FOR the purpose of requiring the Maryland Health Care Commission to create a certain stakeholder workgroup to study issues related to the implementation of personalized medicine in the State; requiring the Commission to review certain federal reports and recommendations, conduct a certain analysis, identify certain obstacles to the implementation of personalized medicine, and make certain recommendations; requiring the Commission to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Health Care Commission and personalized medicine.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 446 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Conway, Haynes, Heller, James, Levi, and Levy

AN ACT concerning

State Retirement and Pension System – Board of Trustees – Attendance and Educational Training

FOR the purpose of providing additional exceptions for excused absences from certain meetings for members of the Board of Trustees of the State Retirement and Pension System; altering the limitation on the location where the Board of Trustees may meet for certain training; removing certain limitations regarding certain entities who may conduct certain training for the Board of Trustees; and generally relating to trustee attendance and educational training for members of the Board of Trustees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–104(e) and 21–108(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 447 – Delegates Levi, Holmes, Hubbard, and Hucker

AN ACT concerning

Landfills – Disposal of Motor Vehicle Oil Filters

FOR the purpose of prohibiting the disposal of certain oil filters in landfills; authorizing the Department of the Environment to grant a waiver from this prohibition under certain circumstances; providing for a delayed effective date; and generally relating to the disposal of oil filters in landfills.

BY adding to
Article – Environment
Section 9–227.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 448 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Conway, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Investment Manager Service Fees

FOR the purpose of increasing certain limitations on certain fees paid by the Board of Trustees to certain investment managers; and generally relating to investment manager service fees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–315(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 449 – Delegates Manno and Sossi and Delegates Aumann, Bromwell, Cane, Cardin, Dumais, Eckardt, Elmore, Feldman, Frush, Haddaway, Hucker, Impallaria, Jameson, Kach, Kaiser, Kipke, Levy, Mathias, Montgomery, Murphy, Proctor, Rice, Rudolph, Smigiel, Walkup, Weir, and Wood

AN ACT concerning

Maryland Organic Transition Investment Pilot Program (MO–TIPP)

FOR the purpose of establishing the Maryland Organic Transition Investment Pilot Program in the Department of Agriculture; requiring the Secretary of Agriculture to develop and implement the Pilot Program under certain circumstances; requiring the Department to submit a certain report on or before a certain date; establishing the Organic Agriculture Development Fund; establishing the purpose and uses of the Fund; requiring the Secretary to administer the Fund; establishing that the Fund is a special, nonlapsing fund; establishing eligibility requirements for the Fund; requiring certain producers that receive certain funding to report to the Department on or before a certain date; requiring the Department to adopt certain regulations; defining certain terms; providing for the interpretation of this Act; providing for the termination of this Act; and generally relating to organic agricultural production.

BY adding to
Article – Agriculture
Section 10–14A–01 through 10–14A–05 to be under the new subtitle "Subtitle 14A. Maryland Organic Transition Investment Pilot Program"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 450 – Caroline County Delegation

AN ACT concerning

Creation of a State Debt – Caroline County – Adkins Arboretum Native Garden Gateway

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 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 Appropriations.

House Bill 451 – Delegates Sossi, Haddaway, Smigiel, and Walkup

AN ACT concerning

Creation of a State Debt – Caroline County – Sharp Road Youth Sports Complex

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 Choptank Athletic 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; 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 Appropriations.

House Bill 452 – Delegates Haddaway, Eckardt, Aumann, Bartlett, Beitzel, Boteler, Burns, Dwyer, Elliott, Elmore, Frank, Harrison, Hecht, Jameson, Jennings, King, Kirk, Krebs, Krysiak, Lafferty, Manno, McComas, McConkey, McHale, Murphy, Myers, Norman, O'Donnell, Riley, Serafini, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, Taylor, Vaughn, Walkup, and Wood

AN ACT concerning

Business Regulation – Charitable Organizations – Audits and Reviews

FOR the purpose of increasing the minimum gross income amount by which the registration statement of a charitable organization must include a certain audit; altering the range of gross income amounts by which the registration statement of a charitable organization must include a certain review; altering the range of gross income amounts by which the Secretary of State may require a certain audit or review of a charitable organization; and generally relating to the auditing and review requirements of charitable organizations.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 6–402(a) and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 6–402(b)(8) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 453 – Delegates Haynes, Aumann, Barnes, Benson, Braveboy, Bromwell, Carr, Carter, G. Clagett, Conaway, DeBoy, Doory, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Holmes, Hucker, Ivey, James, Kaiser, Kirk, Manno, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ramirez, Reznik, Rice, Robinson, Rosenberg, Ross, Schuler, Stukes, Taylor, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Public Service Companies – Termination of Electric and Gas Service – Extreme Temperatures

FOR the purpose of prohibiting a public service company from terminating electric or gas service to a residential customer because of nonpayment on a day for which the forecasted high temperature is at or below a certain temperature; prohibiting a public service company from terminating electric service to a residential customer because of nonpayment on certain days if the forecasted heat index is at or above a certain level; requiring the Public Service Commission to adopt regulations to carry out this Act; and generally relating to public service companies and the termination of electric and gas service to residential customers.

BY adding to
Article – Public Utility Companies
Section 7–307.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 454 – Delegate Dumais

AN ACT concerning

Domestic Violence – Violation of Protective Order – Arrest

FOR the purpose of clarifying that an officer is required to arrest with or without a warrant and take into custody a person who the officer has probable cause to believe has violated a certain provision of an interim, temporary, or final protective order in effect at the time of the violation; making a clarifying change; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–509
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

House Bill 455 – Caroline County Delegation

AN ACT concerning

Caroline County – Elected School Board

FOR the purpose of requiring that the members of the Caroline County Board of Education be elected; establishing a procedure for the election of members of the county board; specifying member qualifications; establishing a certain term of office for elected members, specifying the initial terms of the elected members, and staggering the terms of the members; providing a procedure for filling a vacancy on the county board; requiring the county board to conduct certain interviews and publish certain notices when filling a vacancy; providing for a nonvoting student member; providing for the removal of members under certain circumstances; providing for the election of the president and vice president of the county board; providing for the compensation and expenses of the members of the county board; requiring the county board to meet at certain intervals; providing that the terms of the appointed members of the county board shall expire on a certain date; making a stylistic change; and generally relating to the Caroline County Board of Education and the election of its members.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–114(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 3–3A–01 through 3–3A–05 to be under the new subtitle "Subtitle 3A. Caroline County"
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 456 – Delegate Morhaim

AN ACT concerning

Health Insurance – Coverage for Off–Label Use of Drugs – Standard Reference Compendia

FOR the purpose of altering the definition of "standard reference compendia" for purposes of health insurance coverage for off–label use of drugs; and generally relating to coverage for off–label use of drugs under health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–804
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 457 – Delegate Morhaim

AN ACT concerning

Principal Departments and Executive Branch Units – Dissemination of Information on Websites

FOR the purpose of substituting a requirement that secretaries of certain departments and heads of certain units include certain organizational charts and descriptions on certain websites for the former requirement that secretaries of certain departments and heads of certain units submit to the General Assembly a certain organizational chart and description by a certain day each year; and generally relating to the posting of information by dissemination on websites by principal departments and executive branch units.

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–305
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 458 – Delegates Carr, Ali, Barkley, Bates, and Sossi

AN ACT concerning

State Highway Administration – Posting of Traffic Accident and Incident Information on Website

FOR the purpose of requiring the State Highway Administration to post regularly on its website summary information about traffic accidents and other traffic incidents that occur on highways in the State; requiring the Administration to

maintain the information about traffic accidents and incidents in a certain format that incorporates certain features; and generally relating to the posting of traffic accident and incident information on the website of the State Highway Administration.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–101(b) and (i)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Transportation
Section 8–208
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 459 – Delegates McConkey, Barkley, Bates, V. Clagett, Dumais, George, and Kipke

AN ACT concerning

Election Law – Polling Places in Privately Owned or Leased Buildings – Rules and Regulations

FOR the purpose of requiring a local board of elections to require that certain polling places post certain information and adhere to certain rules and regulations; prohibiting the owner or operator of a privately owned building used as a polling place from imposing certain rules and regulations on the polling place or the election judge; and generally relating to rules and regulations of polling places in privately owned or leased buildings.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–101
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 460 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Prince George's County – Knights of St. John Hall

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to allow the proceeds of a grant to the Board of Trustees of Knights of St. John Hall, Inc. to be used for an addition to the historic meeting hall of the Knights of St. John.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01(BE) and ZA02(BJ)

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

House Bill 461 – Delegates Rosenberg, G. Clagett, DeBoy, Jones, and Proctor

AN ACT concerning

State Personnel – Incentive Awards – Review and Evaluation Process

FOR the purpose of altering the membership of a certain review committee charged with evaluating and recommending certain awards for certain ideas by State employees; clarifying certain methods by which certain ideas may be received by a certain review committee; providing that certain heads of principal units of State government consult with a certain review committee before submitting certain ideas to the Governor's Award Panel; and generally relating to the review and evaluation process of incentive awards for State personnel.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 10–203
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 462 – Delegates Hubbard, Costa, Kipke, V. Turner, and Weldon

AN ACT concerning

Medicaid State Plan and Medical Assistance Program – Amendments and Waiver Applications

FOR the purpose of requiring the Department of Health and Mental Hygiene to publish in the Maryland Register notice of amendments to the Medicaid State Plan or Medical Assistance Program; requiring the Department of Health and Mental Hygiene to submit amendments to the Medicaid State Plan or Medical

Assistance Program to the Medicaid Advisory Committee; requiring the Department to make amendments to the Medicaid State Plan or Medical Assistance Program available to the public and to provide an opportunity for public comment on the amendments; and generally relating to the Medicaid State Plan and Medical Assistance Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–134
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 463 – Delegate Dumais

AN ACT concerning

Catastrophic Health Emergency Orders – Citations

FOR the purpose of authorizing a police officer to issue a citation for failing to comply with a certain health emergency order; and generally relating to catastrophic health emergency orders and citations.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–101
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–907(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–3A–08
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 464 – Delegate Dumais

AN ACT concerning

Domestic Violence – Interim and Temporary Protective Orders – Custody of Minor Child

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 an interim or temporary protective order; and generally relating to domestic violence protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–504.1 and 4–505(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 465 – Delegate Ross

AN ACT concerning

Income Tax – Payments – Sale of Real Property by Nonresidents

FOR the purpose of altering the rate of tax that must be paid to the clerk of the circuit court for a county or to the Department of Assessments and Taxation before the recording of certain deeds for the sale of certain property; and generally relating to certain requirements for certain amounts to be paid to the clerk of the circuit court for a county or to the Department of Assessments and Taxation prior to the recording of certain deeds for the sale of certain property.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–912(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 466 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Conway, Heller, James, and Levy

AN ACT concerning

State Retirement Agency – Monitoring of Telephone Calls – Quality Assurance

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to adopt regulations to manage, for a certain purpose, the monitoring and recording of certain telephone calls by the State Retirement Agency; and generally relating to the monitoring of telephone calls by the State Retirement Agency for quality assurance purposes.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–110(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 467 – Delegates Pena–Melnyk, Barnes, and Frush

AN ACT concerning

Creation of a State Debt – Prince George's County – LARS Facility Renovation

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 Laurel Advocacy and Referral Services, 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 Appropriations.

House Bill 468 – Delegates Bronrott, Carr, Gutierrez, Waldstreicher, Ali, Barve, Dumais, Feldman, Frick, Heller, Hixson, Hucker, Kramer, Lee, Manno, Mizeur, Montgomery, Reznik, Rice, and Taylor

AN ACT concerning

Health Insurance – Habilitative Services – Required Coverage

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage of habilitative services for individuals under a certain age; altering a certain definition; and generally relating to health insurance coverage of habilitative services.

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–835
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 469 – Delegates Levi, Hubbard, and Holmes

AN ACT concerning

Creation of a State Debt – Prince George's County – Bowie Indoor Sports Plex

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of the Bowie 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 Appropriations.

House Bill 470 – Delegates Riley, James, Aumann, Bartlett, Bates, Beitzel, Boteler, Bromwell, Costa, Donoghue, DeBoy, Dwyer, Elliott, Elmore, Frank, George, Impallaria, Jennings, Kelly, King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Minnick, Myers, Norman, O'Donnell, Schuh, Schuler, Serafini, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Public Safety – Handgun Permits – Repeal of Finding Requirement

FOR the purpose of repealing the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a certain handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 471 – Delegates Pena–Melnyk, Barnes, Braveboy, Ivey, Levi, V. Turner, Valderrama, and Walker

AN ACT concerning

Minority Business Enterprise Certification – Cap on Personal Net Worth

FOR the purpose of altering the amount of the cap on the personal net worth requirement for certification as a minority business enterprise; and generally relating to requirements for certification as minority business enterprises.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 472 – Delegates O'Donnell, Aumann, Bartlett, Bates, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kach, King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Myers, Norman, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, and Walkup

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote – Repeal

FOR the purpose of rescinding the State of Maryland's consent to enter into the Agreement Among the States to Elect the President by National Popular Vote and repealing the statutory provisions reciting the Agreement; repealing certain provisions of law relating to the nomination of presidential electors; specifying that presidential electors in the State continue to be elected at large by the voters of the entire State and not in accordance with the procedure outlined in the Agreement; specifying that presidential electors cast their votes for the candidates for President and Vice President who received a plurality of the votes cast in the State and not as defined under the Agreement; repealing a certain contingency relating to the State's entry into the Agreement; and generally relating to the repeal of the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 8–503 through 8–505
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)
(As enacted by Chapters 43 and 44 of the Acts of the General Assembly of 2007)

BY repealing
Article – Election Law
Section 8–5A–01 and the subtitle "Subtitle 5A. Agreement Among the States to Elect the President by National Popular Vote"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing
Chapter 43 of the Acts of the General Assembly of 2007
Section 3

BY repealing
Chapter 44 of the Acts of the General Assembly of 2007
Section 3

Read the first time and referred to the Committee on Ways and Means.

House Bill 473 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Bates, Branch, Conway, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Participating Governmental Units

FOR the purpose of clarifying the definition of a "local pension system" for participating governmental units in the State Retirement and Pension System; altering the period of time that certain employees of certain participating governmental units have to elect to participate in certain systems of the State Retirement and Pension System; and generally relating to participating governmental units in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 31–101(h), 31–111(a), 31–2A–01(f), 31–2A–04, 31–2B–01(e), and 31–2B–04
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 474 – Delegates Pena–Melnyk, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Branch, Bronrott, Carr, Carter, V. Clagett, Conaway, Doory, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Harrison, Healey, Hecht, Hixson, Holmes, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Krysiak, Lafferty, Lee, Levi, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Ramirez, Reznik, Rice, Riley, Robinson, Rosenberg, Ross, Schuler, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Human Relations – Sexual Orientation and Gender Identity – Antidiscrimination

FOR the purpose of prohibiting discrimination based on gender identity with regard to public accommodations, housing, and employment; prohibiting discrimination based on gender identity by certain licensed or regulated persons; prohibiting discrimination based on sexual orientation or gender identity with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; altering a certain exception for employers that relates to standards concerning dress and grooming; providing that an employer is immune from certain liability for certain acts to verify the gender identity of any employee or applicant in response to a certain charge; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity; requiring certain State personnel actions to be made without regard to gender identity or sexual orientation; defining the term "gender identity"; making certain conforming changes; and generally relating to discrimination based on sexual orientation and gender identity.

BY renumbering
Article – State Government
Section 20–101(e) and (f), respectively
to be Section 20–101(f) and (g), respectively
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY adding to
Article – State Government
Section 20–101(e)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – State Government
Section 20–302, 20–304, 20–401, 20–402, 20–501, 20–602, 20–603, 20–605(a)(2), 20–606(a) through (e), 20–607, 20–702(a), 20–704(a)(2), 20–705, 20–707(b) and (c), and 20–1103(b)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–302
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 475 – Delegates O'Donnell, Aumann, Bates, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Frank, George, Haddaway, Impallaria, Jennings, Kach, King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Myers, Norman, Serafini, Shank, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, Walkup, and Weldon

AN ACT concerning

Ethics – Executive Branch – Lobbying by Former Officials

FOR the purpose of prohibiting certain former Executive Branch officials from engaging in certain employment for a certain period of time; providing exceptions to the employment prohibition; and generally relating to lobbying by former Executive Branch officials.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–504(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 476 – Delegates Reznik, Hixson, Ali, Barkley, Barve, Bronrott, Carr, Feldman, Gilchrist, Healey, Hucker, Ivey, Kaiser, Lee, Levy, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena–Melnyk, Rice, Ross, and Weldon

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting on Election Day

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a certain polling place in a certain precinct; making a stylistic change; 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 and 2

BY proposing an addition to the Maryland Constitution
Article I – Elective Franchise
Section 2A

Read the first time and referred to the Committee on Ways and Means.

House Bill 477 – Frederick County Delegation

AN ACT concerning

Frederick County – County Commissioners – Retirement Benefits

FOR the purpose of authorizing the Board of County Commissioners of Frederick County to establish that each member may receive certain retirement benefits or to establish within the county retirement program certain criteria and benefits applying only to County Commissioners under certain circumstances; placing certain restrictions on a criterion or benefit established under this Act; providing that this Act does not apply to the salaries or compensation of the incumbent County Commissioners; and generally relating to the retirement benefits of the members of the Board of County Commissioners of Frederick County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2–2–18(b)
Article 11 – Public Local Laws of Maryland
(2004 Edition and September 2008 Supplement)

BY adding to
The Public Local Laws of Frederick County
Section 2–2–18(c)
Article 11 – Public Local Laws of Maryland
(2004 Edition and September 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 478 – Delegates Rice, Barkley, Bronrott, Carr, Carter, Feldman, Gilchrist, Levi, Montgomery, Riley, Ross, Stein, Tarrant, Taylor, and Walker

AN ACT concerning

Task Force on Public Health Risks Linked to Bullying

FOR the purpose of creating the Task Force on Public Health Risks Linked to Bullying; providing for the composition, chair and subcommittee 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 conduct certain hearings, review certain data and studies, and develop certain guidelines or 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 on Public Health Risks Linked to Bullying.

BY adding to
Article – Health – General
Section 13–2801 through 13–2804 to be under the new subtitle "Subtitle 28. Task Force on Public Health Risks Linked to Bullying"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 479 – Delegates Tarrant, Anderson, Carter, Glenn, Howard, Kullen, Manno, Morhaim, Oaks, Rice, and Taylor

AN ACT concerning

Cigarette – Definition

FOR the purpose of altering the definition of cigarette in connection with tobacco taxes, the regulation of cigarette businesses, the sale of cigarettes below cost, and certain cigarette fire safety standards to include certain tobacco products that are wrapped in certain substances and weigh less than a certain amount and certain tobacco products likely to be offered to, or purchased by, consumers as cigarettes; providing for a delayed effective date for certain provisions of this Act; and generally relating to the definition of cigarettes.

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 16–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–601
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–501(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 12–101(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–601
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Economic Matters.

House Bill 480 – Delegates Levi, Barnes, Dumais, Feldman, Frush, Gilchrist, Holmes, Hubbard, Hucker, Kramer, Lafferty, Lee, Manno, Montgomery, Niemann, Pena–Melnyk, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Public Utility Tree Management Act of 2009

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 submit a certain plan to the Department of Natural Resources and certain local governments within a certain amount of time; requiring a certain public utility to enter into a certain agreement with the Department 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 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 481 – Delegate Bronrott

AN ACT concerning

School Construction – Pedestrian and Bicycle Trail Enhancements – Funding

FOR the purpose of requiring the Board of Public Works to include certain pedestrian and bicycle trail enhancements as an approved public school construction or capital improvement cost; defining a certain term; requiring the Board to adopt certain regulations; limiting the aggregate amount that the Board may approve in any fiscal year for the construction of certain pedestrian and bicycle trail enhancements as part of a public school construction or public school capital improvement; authorizing local governments to use certain highway user revenues for sidewalk construction; stating a certain policy of the State with regard to sidewalks, footpaths, and bicycle trails; including sidewalks under certain provisions governing the construction of certain footpaths and trails by local governments; and generally relating to the use of public school construction aid and certain highway user revenues for pedestrian and bicycle trail enhancements.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–205(a) and 5–301(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(e) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–409
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 482 – Delegate Rosenberg

AN ACT concerning

Criminal Law – Removing Human Remains from Burial Site – Exceptions

FOR the purpose of providing certain exceptions to the prohibition against a person removing or attempting to remove human remains from a burial site; authorizing certain persons to arrange for the removal and relocation of the cremated remains of a decedent from a burial site or permanent cemetery, or the relocation of any human remains of a decedent within the boundary of a permanent cemetery containing the original burial site, without the need for obtaining authorization from a State's Attorney or providing a certain notice; providing that the location of a reinterment of human remains within the boundary of a permanent cemetery containing the burial site under this Act shall be entered into the inventory of local burial sites or, if no inventory exists, into a record or inventory deemed appropriate by the Maryland Historical Trust; and generally relating to the removal and relocation of human remains.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–401
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–402
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 483 – Delegate Rosenberg

AN ACT concerning

Correctional Services – Voting Rights – Notification

FOR the purpose of requiring the Commissioner of Correction to provide an inmate with written information concerning the inmate's eligibility to vote on the inmate's release from a State correctional facility; requiring the Commissioner to prepare the written information in consultation with the State Board of Elections; and generally relating to providing notice to an inmate who is released from a State correctional facility of the inmate's eligibility to vote.

BY adding to
Article – Correctional Services
Section 9–613
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 484 – Delegates Hixson, Pena–Melnyk, Barkley, Barnes, Barve, Cardin, Carr, V. Clagett, Doory, Frick, Frush, Gaines, Gilchrist, Healey, Holmes, Hubbard, Ivey, Kaiser, Lafferty, Mathias, Olszewski, Rice, Ross, F. Turner, Vaughn, and Walker

AN ACT concerning

Task Force to Study the County and Municipal Revenue Structure

FOR the purpose of establishing a Task Force to Study the County and Municipal Revenue Structure; 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 Legislative 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 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 County and Municipal Revenue Structure.

Read the first time and referred to the Committee on Ways and Means.

House Bill 485 – Delegate Olszewski

AN ACT concerning

Maryland Youth Advisory Council – Youth Members

FOR the purpose of altering the term of a youth member of the Maryland Youth Advisory Council; altering the term of a youth member who is elected cochair of the Council; requiring the State Department of Education to categorize certain school absences of a youth member as lawful absences under certain circumstances; and generally relating to youth members on the Maryland Youth Advisory Council.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2701
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 486 – Delegates Miller, Aumann, Bates, Beitzel, Costa, Dwyer, Frank, George, Impallaria, Jennings, King, Kipke, McComas, McDonough, Myers, Norman, O'Donnell, Serafini, Shank, Shewell, Smigiel, Stull, and Wood

AN ACT concerning

Counties and Municipal Corporations – "Sanctuary Laws" for Illegal Aliens – Prohibition

FOR the purpose of requiring local governments to comply fully 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 2008 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 2008 Supplement)

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

House Bill 487 – Delegate Montgomery

AN ACT concerning

State Health Services Cost Review Commission – Health Care Facilities – Annual Reports of Compensation

FOR the purpose of requiring certain health care facilities to submit to the State Health Services Cost Review Commission annual reports of certain compensation; and generally relating to the reporting of the compensation of officers, directors, and executives of health care facilities and of regulated lobbyists engaged by those facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–212
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 488 – Allegany County Delegation

AN ACT concerning

Creation of a State Debt – Allegany County – Allegany Museum

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 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 Appropriations.

House Bill 489 – Allegany County Delegation

AN ACT concerning

Allegany County – Upper Potomac River Commission – Savage River Dam – Borrowing Authority

FOR the purpose of repealing a certain limitation on the amount the County Commissioners of Allegany County may borrow for a capital outlay on behalf of the Upper Potomac River Commission; repealing a requirement that certain voters approve the capital outlay; authorizing the County Commissioners to borrow certain money, by resolution, for the capital outlay; repealing a requirement that certain bonds bear a certain interest rate, contain interest coupons, be in a certain denomination, and mature within a certain number of years; requiring the County Commissioners to determine the form of certain bonds, including any interest coupons, the date of maturity, the denomination of the bonds, and the date for payment of principal and interest; authorizing the bonds to be redeemable before their maturity at certain prices; repealing a requirement that the voters of Allegany County approve borrowing certain money; making stylistic changes and technical corrections; and generally relating to the authority of the County Commissioners of Allegany County to borrow certain money on behalf of the Upper Potomac River Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of Allegany County
Section 76–7
Article 1 – Public Local Laws of Maryland
(1983 Edition and July 2008 Supplement, as amended)

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

House Bill 490 – Delegates Reznik and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Lake Whetstone Facilities

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 Montgomery Village 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 Appropriations.

House Bill 491 – Delegates Aumann, Bates, Bobo, Boteler, Branch, Conway, Eckardt, Gaines, Gutierrez, Haynes, Howard, Jones, Levy, Robinson, Sophocleus, and Wood

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements – Inspection Requirements

FOR the purpose of requiring the Maryland Agricultural Land Preservation Foundation to report annually to the Governor and the General Assembly on the percentage of certain easements inspected in each county over a certain time period; requiring the Foundation to adopt certain regulations and procedures that require each county to inspect certain easements in the county in accordance with certain requirements; prohibiting the Foundation from distributing certain funds to a county until the Foundation certifies that the county has complied with certain regulations and procedures related to the inspection of certain easements; requiring the Attorney General and the Secretary of Agriculture, if requested by the Foundation, to provide legal staff to assist the Foundation in making certain certifications regarding county compliance with easement inspection regulations and procedures; and generally relating to the inspection of certain agricultural land preservation easements.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–506, 2–508.1, and 2–509(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 492 – Delegates Carr, Barkley, Beidle, Cane, DeBoy, Hecht, Holmes, James, Kaiser, Krebs, Love, Montgomery, Rice, Sophocleus, Tarrant, F. Turner, Waldstreicher, Walkup, and Weir

AN ACT concerning

Commission on Commuter Rail Governance and Funding

FOR the purpose of establishing a Commission on Commuter Rail Governance and Funding to examine the needs and funding for commuter rail in Maryland; requiring the Governor to designate the chair of the Commission; providing for the membership and staffing of the Commission; prohibiting members of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission 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 Commission on Commuter Rail Governance and Funding.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 493 – Delegates Doory, Barve, Cardin, and Feldman

AN ACT concerning

Biotechnology Investment Incentive Tax Credit

FOR the purpose of altering the definition of "qualified investor" under a certain tax credit allowed for certain investments in certain biotechnology companies; clarifying the taxable year for which the credit may be claimed; repealing certain obsolete language; altering a certain applicability provision; clarifying certain provisions requiring the recapture of the credit under certain circumstances; and generally relating to a certain tax credit allowed for certain investments in certain biotechnology companies.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725(a)(6)(i), (b)(1), and (f)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Article – Tax – General
Section 10–725(e)(3)(vii)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 518 of the Acts of the General Assembly of 2008
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 494 – Delegates Cane, Benson, Conway, Elmore, Haddaway, Mathias, Rudolph, Sophocleus, and Sossi

AN ACT concerning

State Emblems – Literacy Symbol – Book "E" Lookee

FOR the purpose of designating Book "E" Lookee as the State literacy symbol.

BY adding to
Article – State Government
Section 13–322
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 495 – Delegates Smigiel, Ali, Barkley, Bartlett, Barve, Beidle, Bronrott, Cardin, Dumais, Frush, Gilchrist, Glenn, Hubbard, Hucker, Impallaria, Kelly, Kipke, Kramer, Lee, Manno, Mathias, McComas, McConkey, McDonough, Minnick, Montgomery, Ramirez, Shewell, Stein, Valderrama, and Waldstreicher

AN ACT concerning

Criminal Law – Crimes Relating to Animals – Limitations on Possession of Breeding Dogs

FOR the purpose of prohibiting a person from owning, possessing, controlling, or otherwise having custody of more than a certain number of breeding dogs at any time; establishing enclosure size and exercise requirements to be met by a person owning, possessing, controlling, or otherwise having custody of more than a certain number of breeding dogs; establishing a penalty for a violation of this Act; exempting certain facilities from the requirements of this Act; defining certain terms; and generally relating to limitations on the possession of breeding dogs.

BY adding to
Article – Criminal Law
Section 10–624
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 496 – Delegates Cardin, Bobo, Bronrott, G. Clagett, Hammen, Morhaim, Ross, and Stein

AN ACT concerning

Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road

FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an EPAMD, or a motor scooter, to pass safely at a certain distance; requiring a driver of a motor vehicle to yield the right–of–way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bicycle lane; and generally relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments,
Article – Transportation

Section 21–1209
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 497 – Delegates Simmons and Kramer

AN ACT concerning

Maryland Power of Attorney Form and Oversight Act

FOR the purpose of establishing the Maryland Power of Attorney Form and Oversight Act; establishing certain exceptions to the application of this Act; requiring a power of attorney to be signed by the principal or a certain other individual; requiring a power of attorney to be attested and witnessed by at least a certain number of disinterested witnesses; requiring a certain recordation of a power of attorney or a revocation of a power of attorney; requiring a clerk of a circuit court to perform certain duties regarding a power of attorney; requiring a certain certification regarding preparation of a power of attorney; providing for the validity of certain powers of attorney under certain circumstances; establishing that the execution of a power of attorney does not revoke a previously executed power of attorney, with certain exceptions; specifying the circumstances under which an agent is entitled to reimbursement of expenses or compensation; requiring an agent to keep certain records and disclose certain information under certain circumstances; requiring an agent to file a certain accounting under certain circumstances; providing for a certain emergency hearing under certain circumstances; granting certain authority to a circuit court for certain purposes; authorizing certain persons to petition a circuit court for certain purposes; authorizing a request for a certain certification, translation, or opinion under certain circumstances; requiring a person to 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; authorizing a circuit court to mandate acceptance of a power of attorney under certain circumstances; authorizing a circuit court to award certain fees and costs incurred by a prevailing party in a certain action; 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 Court of Appeals to adopt certain rules; providing for the application of this Act; defining a certain term; and generally relating to powers of attorney.

BY adding to

Article – Estates and Trusts
Section 17–101 through 17–202 to be under the new title "Title 17. Maryland Power of Attorney Form and Oversight Act"
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 498 – Delegate Feldman

AN ACT concerning

Professional Service Corporations – Corporate Names – Approval by Professional Organizations

FOR the purpose of establishing an exception to the requirement that a licensing unit consult with and obtain the approval of a certain professional organization before issuing a certificate of authorization for use of a corporate name; providing that the Board of Physicians is not required to consult with or obtain the approval of the professional organization in the State to which a majority of physicians belong; making a certain conforming change; and generally relating to certificates of authorization for use of a corporate name.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 5–107
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–108
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 499 – Delegates Robinson, Boteler, Cane, Hecht, Howard, McComas, McDonough, Montgomery, Shewell, Stocksdale, and Walkup

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Facilities – Database of Terminated Employees

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish a database that includes certain information on certain employees of health care

facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the database under certain circumstances; authorizing certain health care facilities to have access to the database; prohibiting a health care facility from allowing an employee to access the database except under certain circumstances; defining certain terms; and generally relating to a database of terminated employees of health care facilities.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–114(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–347.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 500 – Delegates Tarrant, Anderson, Branch, Carter, Conaway, Glenn, Hammen, Krysiak, Oaks, Robinson, Rosenberg, and Stukes

AN ACT concerning

Baltimore City – Medical Assistance Programs – Eligibility and Enrollment Information Mailings to Students

FOR the purpose of requiring the State Department of Education and Baltimore HealthCare Access to enter into an agreement regarding the disclosure of certain information; specifying certain terms for the required agreement; requiring the Department to make certain disclosures to parents or guardians whose students are applying for the National School Lunch Program on or before a certain date; requiring the Department to disclose certain information regarding certain students in Baltimore City to Baltimore HealthCare Access on or before a certain date; requiring Baltimore HealthCare Access to send eligibility and enrollment information regarding the Maryland Medical Assistance Program and the Maryland Children's Health Program to parents or guardians of certain students in Baltimore City who are eligible for the National School Lunch Program on or before a certain date; requiring Baltimore HealthCare Access to report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to eligibility and enrollment information mailings regarding certain medical assistance programs to students in Baltimore City.

BY adding to
Article – Education
Section 7–606
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 501 – Delegates Kelly, Dwyer, Kramer, McComas, and Smigiel

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 the theft of rental property.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–104
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 502 – Delegates Miller, Malone, Bromwell, Costa, Kipke, McDonough, and Weldon

AN ACT concerning

State Procurement – Employment of Unauthorized Aliens and the Federal E–Verify Program

FOR the purpose of requiring an employer under a State procurement contract or other grant of State money to verify, through a certain federal program governing immigration status, the employment eligibility of certain of its employees; prohibiting an employer under a State procurement contract or other grant of State money from intentionally or knowingly hiring an

unauthorized alien under the procurement contract or grant; defining certain terms; authorizing a person to file a certain complaint with certain law enforcement officials alleging that certain employers are employing certain employees in violation of law; requiring the law enforcement officials to investigate the complaints and take certain actions; requiring a certain court to hear certain actions; requiring the court to impose certain sanctions on certain employers found to have committed certain violations; authorizing a court to impose certain sanctions against certain employers in certain circumstances; requiring that certain agencies suspend the licenses of certain employers in certain circumstances; providing for the reinstatement of the licenses of certain employers in certain circumstances; providing for the revocation of the licenses of certain employers in certain circumstances; requiring the Attorney General to maintain certain records and a certain database and to make the information available on its website; specifying a certain rebuttable presumption; affording certain employers an affirmative defense; providing for the construction of this Act; providing for the application of this Act; and generally relating to the employment of unauthorized aliens and the federal E–Verify program.

BY adding to
Article – State Finance and Procurement
Section 20–101 through 20–115 to be under the new subtitle "Title 20. Employment of Unauthorized Aliens and the Federal E–Verify Program"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 503 – Delegates Kipke, Ali, Barkley, Benson, Cardin, Carr, Costa, Donoghue, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Howard, Hubbard, Kach, Krebs, Kullen, Myers, Olszewski, Pena–Melnyk, Reznik, Riley, Robinson, Schuh, Shewell, Sophocleus, Sossi, Stocksdale, Taylor, F. Turner, Waldstreicher, and Weldon

AN ACT concerning

Health – Maryland Commission on Autism

FOR the purpose of establishing the Maryland Commission on Autism; providing for the membership of the Commission; requiring the membership of the Commission to consist of broad representation of the State's citizens; designating the chair of the Commission; establishing a quorum requirement; requiring the Commission to meet a certain number of times per year; requiring the Commission to meet a certain number of times before a certain date; authorizing the Commission to hold meetings in a certain manner; prohibiting a member of the Commission from receiving compensation; authorizing a member of the Commission to receive certain reimbursement; requiring a certain person

to designate certain staff for the Commission; requiring the Commission to make certain recommendations; requiring the Commission to make a certain evaluation; requiring the Commission to carry out certain tasks in preparing a certain plan; authorizing the Commission to undertake certain responsibilities; requiring the Commission to report to the General Assembly on or before certain dates; defining a certain term; providing for the termination of this Act; and generally relating to autism awareness.

BY adding to
Article – Health – General
Section 13–2801 through 13–2806 to be under the new subtitle "Subtitle 28. Maryland Commission on Autism"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 504 – Delegates McConkey, Montgomery, Niemann, and Schuler

AN ACT concerning

Criminal Procedure – Sexual Offender Registry – Registrant's Statement

FOR the purpose of authorizing a sexual offender registrant to submit a certain statement to the sexual offender registry; specifying the information that may be included in the statement and prohibiting certain information from being included in the statement; requiring that a certain State's Attorney or a designee of the State's Attorney approve the statement before publication of the statement; altering certain information that is posted on the Internet registry; clarifying language regarding the description of a registrant's crime included in the registration statement; authorizing the Department of Public Safety and Correctional Services to post a statement submitted under this Act on the Internet registry; and generally relating to registration statements in the sexual offender registry.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–706 and 11–717
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 505 – Delegates Walker, Barnes, Benson, Boteler, Carter, Conaway, Frush, Gutierrez, Healey, Holmes, Howard, Hubbard, Oaks,

Pena–Melnyk, Proctor, Rice, Robinson, Stukes, Tarrant, Taylor, V. Turner, Valderrama, and Vaughn

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 506 – Delegate Donoghue

AN ACT concerning

Historic Commission – Appeals

FOR the purpose of authorizing certain persons to appeal certain decisions of a historic district commission or historic preservation commission to the local governing body; and generally relating to appeals from a decision of a historic district commission or historic preservation commission.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 8.15
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 507 – Delegates Nathan–Pulliam, Benson, Bromwell, Elliott, Kach, Kipke, Kullen, Montgomery, Morhaim, Riley, and Tarrant

AN ACT concerning

Inmates – Hepatitis C – Counseling and Referral to Medical Assistance Program

FOR the purpose of requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Human Resources and the Department of Health and Mental Hygiene, to develop a process to refer certain inmates to the Department of Human Resources or the Department of Health and Mental Hygiene for enrollment in certain programs; requiring the Department of Public Safety and Correctional Services to provide certain counseling to inmates with Hepatitis C; requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Human Resources and the Department of Health and Mental Hygiene, to develop certain regulations; and generally relating to inmates with Hepatitis C.

BY adding to
Article – Correctional Services
Section 9–613
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 508 – Delegates Walker, Anderson, Barnes, Benson, Branch, Carr, Conaway, DeBoy, Glenn, Guzzone, Haynes, Howard, Impallaria, King, Levi, Nathan–Pulliam, Oaks, Pena–Melnyk, Rice, Robinson, Simmons, Tarrant, V. Turner, and Valderrama

AN ACT concerning

Public Schools – Physical Education Facilities

FOR the purpose of requiring the State Department of Education to adopt regulations that require certain public schools occupied after a certain date to include a gymnasium and support spaces for physical education instruction and to adopt guidelines for facilities for physical education programs; and generally relating to physical education facilities in public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 509 – Delegates Kipke, Ali, Barkley, Beidle, Benson, Boteler, Carr, Carter, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Howard, Hubbard, King, Krebs, Kullen, Love, McComas, Montgomery, Norman, Pena–Melnyk, Reznik, Rice, Riley, Robinson,

Schuh, Schuler, Shank, Shewell, Stocksdale, Waldstreicher, and Weldon

AN ACT concerning

Crimes – Harassment – Electronic Communications

FOR the purpose of altering an existing prohibition against using electronic mail with the intent to harass; prohibiting a person from making an electronic communication with the intent to harass a person or the person's immediate family; defining certain terms; making certain conforming changes; and generally relating to harassment through electronic communications.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–805
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 510 – Delegates Nathan–Pulliam, Bromwell, Elliott, Kipke, Kullen, Montgomery, Morhaim, and Riley

AN ACT concerning

Health Occupations – Licensure of Social Workers

FOR the purpose of requiring the State Board of Social Work Examiners to notify applicants for licensure whether the applicants have been approved to take a certain examination within a certain time period; altering certain requirements for a waiver of examination requirements for certain applicants who are licensed or registered to practice social work in other states; and generally relating to the licensure of social workers.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–303 and 19–305
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 3 – Delegates Kelly, Dumais, Kramer, Myers, Riley, and Smigiel

A House Joint Resolution concerning

Secondary Schools – Cardiopulmonary Resuscitation Instruction

FOR the purpose of urging each county board of education and the Baltimore City Board of School Commissioners to make available American Red Cross Cardiopulmonary Resuscitation (CPR) instruction, the American Heart Association's Heart Saver CPR curriculum, or an equivalent program to high school students in the county or Baltimore City.

Read the first time and referred to the Committee on Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 42 – Senator Conway

AN ACT concerning

Natural Resources – BayStat Subcabinet – Membership

FOR the purpose of altering the membership of the BayStat Subcabinet to include a representative from the University of Maryland Biotechnology Institute; and generally relating to the membership of the BayStat Subcabinet.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–03(a)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Public Service Commission)

AN ACT concerning

Maryland Transit Administration – Mass Transit Service Alterations – Public Service Commission and People's Counsel Reporting and Representation Requirements

FOR the purpose of repealing a requirement that the People's Counsel to the Public Service Commission appear and represent the public interest at certain public hearings; repealing a requirement that the Maryland Transit Administration refer certain matters to the Public Service Commission and the People's Counsel to the Commission for consideration and recommendations prior to holding certain public hearings; repealing a requirement that the Commission and the People's Counsel submit certain reports to the Administration relating to mass transit; making conforming changes; and generally relating to reporting requirements of the Public Service Commission and the People's Counsel relating to mass transit.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–506(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–506(e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing
Article – Transportation
Section 7–506(f) and 7–507
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

Senate Bill 63 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Oral Health Safety Net Program – Sunset Repeal

FOR the purpose of repealing the termination provision for the Oral Health Safety Net Program in the Department of Health and Mental Hygiene; and generally relating to the Oral Health Safety Net Program.

BY repealing and reenacting, with amendments,
Chapter 527 of the Acts of the General Assembly of 2007
Section 3

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 73 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Sale of Land Preservation Easements – Confidentiality of Records

FOR the purpose of requiring that certain records relating to the sale of an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation remain confidential until after a certain time; and generally relating to the sale of Maryland Agricultural Land Preservation Foundation easements.

BY adding to
Article – Agriculture
Section 2–510(m)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 76 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Baltimore City Community College)

AN ACT concerning

Baltimore City Community College – Term of Student Trustee

FOR the purpose of altering the beginning and ending days of the term of the student member of the Baltimore City Community College Board of Trustees.

BY repealing and reenacting, with amendments,
Article – Education
Section 16–504(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 90 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Valuation of Terminated Easements

FOR the purpose of altering the appraisal method for determining the agricultural value of a terminated agricultural land preservation easement to be repurchased by the landowner from the Maryland Agricultural Land Preservation Foundation; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–514(f)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 44)

ADJOURNMENT

At 10:29 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 5, 2009.

Annapolis, Maryland
Thursday, February 5, 2009

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pamela G. Beidle of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 45)

The Journal of February 4, 2009 was read and approved.

EXCUSES:
Del. Carr – personal
Del. Frush – business
Del. Griffith – illness
Del. Heller – illness
Del. Hucker – business
Del. Levi – illness
Del. Mathias – personal
Del. Pendergrass – death in family
Del. Rosenberg – personal
Del. Wood – funeral

INTRODUCTION OF BILLS

House Bill 511 – Delegates Glenn and Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Fine Arts Center for Archbishop Curley High School

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 Archbishop Curley High School 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 Appropriations.

House Bill 512 – Delegates Kipke, Beidle, Costa, Dwyer, George, King, Love, McConkey, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Election Law – Photo Identification for Voting

FOR the purpose of requiring an election judge in Anne Arundel County to establish certain information with regard to certain voters; requiring the election judge to qualify a voter by requesting the voter to present a certain form of photo identification; requiring the election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter in Anne Arundel County who is unable to present a certain form of photo identification to vote by provisional ballot under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification; making stylistic changes; and generally relating to proof of identity of voters in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–310 and 16–201
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 513 – Delegates Carr and Waldstreicher

AN ACT concerning

Heritage Tax Credit – Expenditures for Work Undertaken Prior to Approval of Plans

FOR the purpose of allowing a certain tax credit for certain rehabilitation expenditures under certain circumstances, notwithstanding certain requirements; requiring the Director of the Maryland Historical Trust, within a certain time after receiving certain plans for review, to review the plans and under certain circumstances to approve the plans and make a certain certification; prohibiting the Director from charging a certain fee for certifying certain structures or rehabilitations; providing that a certain tax credit may be claimed for a certain taxable year; defining certain terms; and generally

relating to allowing a certain tax credit for certain rehabilitation expenditures under certain circumstances notwithstanding certain requirements.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 5A–303(a)(4), (5), (7), and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 514 – Delegates Schuh and Reznik

AN ACT concerning

Good Samaritan Laws – Corporations

FOR the purpose of providing that a corporation that provides services or goods in response to a state of emergency proclaimed by the Governor is not liable in damages, under certain circumstances, for personal injury, wrongful death, property damage, or other loss caused by an act, error, or omission, in providing the services or goods; providing for certain exceptions; providing for the construction and application of this Act; and generally relating to certain liability protection for a corporation that provides services or goods in response to a state of emergency proclaimed by the Governor under certain circumstances.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–642
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 515 – Delegates Barnes, Pena–Melnyk, and Frush

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 $300,000, the proceeds to be used as a grant to the Board of Directors of the 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 Appropriations.

House Bill 516 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Greenmount West Community Resource 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 "New" Greenmount West Community 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 Appropriations.

House Bill 517 – Delegate Barnes

AN ACT concerning

Domestic Violence – Warrantless Arrests – Recodification

FOR the purpose of codifying in the Criminal Procedure Article a provision of law in the Family Law Article that requires 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 provision of an interim, temporary, or final protective order in effect at the time of the violation; making a certain clarifying change; and generally relating to domestic violence and warrantless arrests.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–204
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–204.1

Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–509
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 518 – Delegates G. Clagett, Beidle, Bobo, Bronrott, Harrison, Hecht, Levy, Love, Minnick, and Pendergrass

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; providing that a violation of this Act may be enforced only as a secondary action; 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 – Health – General
Section 18–213.2(a)(7) and (8)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation

Section 21–1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 519 – Delegate Kullen

AN ACT concerning

Calvert County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Calvert County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Calvert County.

BY adding to
Article 2B – Alcoholic Beverages
Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–505
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 520 – Calvert County Delegation

AN ACT concerning

Calvert County – Length of Service Award Program – Burial Benefits and Rescue Dive Team

FOR the purpose of providing that certain individuals who have served as members of certain Calvert County rescue dive teams are eligible to receive certain benefits under certain circumstances; requiring certain rescue dive teams to maintain certain records for certain volunteer members on certain forms; requiring a certain report to be furnished to certain persons at certain times; requiring the board of directors of certain rescue dive teams to furnish a certain statement under oath to certain persons at certain times; requiring the Calvert County Fire and Rescue Commission to approve a certain certified list; requiring the Commission to forward a copy of a certain approved list to certain rescue dive teams by a certain date each year; providing for certain points to be credited to certain volunteers under certain circumstances; requiring certain rescue dive teams to review certain membership rosters to make a certain determination; requiring a certain approval for service to be certified by the board of directors of certain rescue dive teams under certain circumstances; altering the amount of certain burial benefits under certain circumstances; providing for the application of this Act; and generally relating to the Calvert County length of service award program.

BY repealing and reenacting, without amendments,
The Public Local Laws of Calvert County
Section 14–101
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2008 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 14–102 through 14–104
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2008 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 521 – Delegates Donoghue, Conway, and Mathias

AN ACT concerning

Maryland Trauma Physician Services Fund – Rural Trauma Centers

FOR the purpose of altering the definition of trauma center to include Peninsula Regional Medical Center, the Western Maryland Health System, and Washington County Hospital; and generally relating to the Maryland Trauma Physician Services Fund.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–130(a)
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–130(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 522 – Delegates Barnes, Frush, and Pena–Melnyk

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class A/Class 4 Light Wine License

FOR the purpose of authorizing a Class A/Class 4 light wine license to be issued in Prince George's County; exempting a winery that applies for a certain license from certain quotas; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 523 – Delegate Ross

AN ACT concerning

Elections – Permanent Absentee Ballot List

FOR the purpose of requiring the State Board of Elections to establish guidelines for a permanent absentee ballot list; authorizing an individual to apply for permanent absentee ballot status; authorizing an application for permanent absentee ballot status to be made by certain methods; requiring a written request for permanent absentee ballot status to include certain information; specifying that a voter is eligible for permanent absentee ballot status under certain circumstances; requiring that a voter be placed on the permanent absentee ballot list under certain circumstances; requiring that an absentee ballot be sent to a voter on the permanent absentee ballot list for certain elections; requiring that a voter be removed from the permanent absentee ballot

list under certain circumstances; requiring a voter that has permanent absentee ballot status to notify the local board of elections with certain information under certain circumstances; and generally relating to permanent absentee ballot lists.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–303, 9–304, and 9–305(a)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Election Law
Section 9–305.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 524 – Delegates Riley, James, Bromwell, Jennings, Norman, Smigiel, Sossi, and Stifler

AN ACT concerning

Crimes – Violation of Restriction Against Possession of Regulated Firearm – Penalties

FOR the purpose of increasing the penalty for violation of the restriction against possession of a certain regulated firearm by a person who was previously convicted of a certain crime; and generally relating to the possession of regulated firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 525 – Delegate Schuh

AN ACT concerning

State Retirement and Pension System – Employer Contributions – Educators and Educational Staff

FOR the purpose of altering the membership of the Board of Trustees for the State Retirement and Pension System under certain circumstances to include certain individuals appointed by the Board of Directors for the Maryland Association of Counties; providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; defining certain terms; and generally relating to the Board of Trustees for the State Retirement and Pension System and the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–104(a) and (b) and 21–304
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–104(a–1) and 21–309.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 526 – Delegates Pena–Melnyk and Costa

AN ACT concerning

Credentialing of Health Care Providers by Managed Care Organizations and Hospitals

FOR the purpose of providing that certain provisions of law relating to credentialing of health care providers by carriers apply to managed care organizations; requiring the Secretary of Health and Mental Hygiene to designate a certain form as the uniform standard credentialing form for hospitals; altering a certain definition; and generally relating to credentialing of health care providers.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–102.3 and 19–319(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 527 – Delegate Cardin

AN ACT concerning

Olive Oil – Standards for Sale in State

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations establishing certain standards for olive oil sold in the State; prohibiting the sale of olive oil in the State that does not meet these standards; authorizing the Secretary to seize or condemn olive oil sold in the State in violation of this Act; and generally relating to the oversight of olive oil sold in the State.

BY adding to
Article – Health – General
Section 21–330.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 528 – Delegates Ross, Barnes, Bronrott, Cardin, Gilchrist, Gutierrez, Guzzone, Ivey, Kaiser, Manno, Nathan–Pulliam, Niemann, Ramirez, Rice, Taylor, and F. Turner

AN ACT concerning

Tobacco Tax – Tax Stamps

FOR the purpose of requiring the tobacco tax stamps that are required to be affixed to certain cigarettes to be capable of being read by certain technology and

encrypted with certain information; requiring the Comptroller to consult with the Attorney General regarding certain tax stamp technology and enforcement of provisions of a certain agreement; providing for a delayed effective date; and generally relating to tobacco tax stamps.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 12–101(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–304
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 529 – Delegates G. Clagett, Barkley, Holmes, Robinson, and Wood

AN ACT concerning

Environment – Sewage Sludge Utilization Permit – Septage

FOR the purpose of altering certain requirements for the adoption of certain regulations by the Department of the Environment to include consideration of septage; establishing certain requirements for septage haulers; establishing an Oversight Committee on Sewage Sludge Utilization; providing for the membership, staff, and duties of the Oversight Committee; requiring the Department to review certain fees charged by publicly owned treatment works to septage haulers and authorizing the Department to reduce those fees under certain circumstances; authorizing the Department to reimburse publicly owned treatment works for certain lost revenue under certain conditions with funds from the Bay Restoration Fund; requiring the Department to adopt certain regulations relating to eligibility for reimbursement and the rate of reimbursement; expanding the authorized uses of the Bay Restoration Fund to include reimbursement of certain lost revenue to publicly owned treatment works; defining and revising certain terms; and generally relating to septage hauling and the sewage sludge utilization permit.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–201, 9–230(b), 9–242, and 9–1605.2(i)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–230(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 9–244.1 and 9–244.2
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 530 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – The John Hanson Memorial

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of The John Hanson Memorial 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 Appropriations.

House Bill 531 – Delegate F. Turner

EMERGENCY BILL

AN ACT concerning

Gaming – Video Lottery Terminals

FOR the purpose of repealing a certain requirement that the State Lottery Commission conduct certain hearings; clarifying the authority of the Video Lottery Facility Location Commission to award video lottery operation licenses under this subtitle; clarifying the authority of the State Lottery Commission to issue certain licenses under this subtitle; providing that certain individuals must be licensed under this subtitle; altering certain eligibility criteria and disqualifying criteria used by the State Lottery Commission for a video lottery operation license; providing that certain video lottery terminal operations may begin in a temporary facility under certain circumstances; providing for when

the term for a video lottery operation license begins; providing that the admissions and amusement tax does not apply to the operations of video lottery terminals; clarifying that the Video Lottery Facility Location Commission may reissue a video lottery operation license under certain circumstances; defining a certain term; altering certain definitions; making technical changes; making this Act an emergency measure; and generally relating to the operation of video lottery terminals in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–01, 9–1A–02(d), 9–1A–04(a), 9–1A–05, 9–1A–07, 9–1A–08, 9–1A–11, 9–1A–13, 9–1A–16, 9–1A–20(b) and (d), 9–1A–26, 9–1A–27, and 9–1A–36
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–02(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 532 – Delegate Morhaim

AN ACT concerning

State Procurement Diesel Emissions Reduction Act

FOR the purpose of requiring a unit to require that certain information regarding diesel emissions control equipment be included in a bid for a certain State contract; requiring certain State procurement contracts to include certain clauses regarding diesel emissions control equipment; requiring the State to reimburse a certain contractor a certain percentage of the cost of installing certain diesel emissions control equipment on certain construction equipment and vehicles; requiring that the reimbursement be paid from certain federal and State funds; defining certain terms; and generally relating to the installation of diesel emissions control equipment on construction equipment and vehicles used to carry out State procurement contracts.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–205
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Finance and Procurement
Section 13–218.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 533 – Delegates Morhaim and Weldon

AN ACT concerning

Cooperative Purchasing Agreements – Requirements and Expansion of Use

FOR the purpose of requiring that certain procurement contracts entered into by State and local entities include certain provisions that facilitate certain other entities to participate in the contracts; authorizing State and local entities to enter into certain agreements for the cooperative or joint administration of programs with other State or local entities; requiring that State and local entities make certain efforts to determine if another State or local entity is participating in a certain contract before initiating a certain procurement; authorizing State and local entities to participate in certain State or local contracts if certain determinations are made; authorizing certain not–for–profit entities to participate in certain State or local contracts if certain bidding is used; authorizing that in certain fiscal years, certain secretaries may withhold certain percentages of funds distributed under certain programs to local entities under certain circumstances; providing certain legislative intent; requiring the Procurement Advisory Council in the Board of Public Works to report to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to requirements and expansion of use for cooperative purchasing agreements.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–110
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 534 – Delegate Simmons

AN ACT concerning

Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a Certain Manner

FOR the purpose of prohibiting a person from knowingly promoting, advertising, presenting, soliciting, distributing, or possessing with the intent to distribute any matter, purported matter, visual representation, or performance that reflects the belief, or is intended to cause another to believe, that the matter depicts a minor engaged as a subject of sadomasochistic abuse or sexual conduct; expanding a certain provision of the child pornography laws so as to prohibit a person from knowingly advertising, presenting, or soliciting any matter, purported matter, visual representation, or performance that depicts a minor engaged as a subject of sadomasochistic abuse or sexual conduct; and generally relating to child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–207
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 535 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Creation of a State Debt – Prince George's County – YMCA Potomac Overlook

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 Board of Directors of the YMCA Potomac Overlook, 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 Appropriations.

House Bill 536 – Delegate Cardin

AN ACT concerning

Income Tax Exemption – Military Health Care Pensions – Health Care Workforce Shortage

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain military retirement income of an individual whose federal adjusted gross income does not exceed a certain amount; requiring the Comptroller, in consultation with the Department of Health and Mental Hygiene and the Governor's Workforce Investment Board, to adopt regulations prescribing standards for the subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification for certain military retirement income.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 537 – Delegate King

AN ACT concerning

Fraternal Benefit Societies – Exemption for Mutual Aid Associations – Clarification

FOR the purpose of clarifying that certain laws governing fraternal benefit societies and other insurance laws of the State do not apply to certain mutual aid associations that were organized before a certain date, have a membership composed of certain members of the Armed Forces or Sea Services of the United States, and have as a principal purpose to provide insurance and other benefits to certain individuals; and generally relating to exemptions of entities from regulation under State insurance laws.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 8–404
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 538 – Delegates Jones, Branch, Burns, Nathan–Pulliam, and Robinson

AN ACT concerning

Foster Care – Tuition Exemption – Expanded Eligibility

FOR the purpose of altering a certain definition to include younger siblings of an adopted individual if the younger sibling is adopted concurrently with the older sibling for purposes of determining eligibility for a certain tuition exemption; and generally related to tuition exemption for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 539 – Delegates Branch, Bronrott, Griffith, Jones, and Sossi

AN ACT concerning

Public Safety – Electronic Control Devices – Requirements

FOR the purpose of prohibiting a person from possessing or using a certain electronic control device unless the person meets certain requirements; prohibiting a certain electronic control device from being sold, possessed, or used in the State unless the electronic control device meets certain requirements; requiring a certain manufacturer to provide a certain law enforcement agency with prompt access to certain records; establishing penalties for a violation of this Act; requiring the Police Training Commission to require that certain curriculum and minimum courses of study include certain training; requiring the Correctional Training Commission to require that certain curriculum include certain training; requiring the Governor's Office of Crime Control and Prevention to submit a certain report to certain committees on or before a certain date; defining a certain term; and generally relating to electronic control devices.

BY adding to
Article – Criminal Law
Section 4–109
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 3–207
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–208(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 540 – Delegates Jones, Burns, Nathan–Pulliam, and Robinson

AN ACT concerning

Consumer Protection – Debt Collection – Collecting from a Cosigner

FOR the purpose of requiring certain debt collectors to attempt collection of a debt from a certain borrower before attempting to collect the debt from a certain cosigner; and generally relating to the collection of a debt from a cosigner.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–202
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–203
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 541 – Delegates Bronrott, Morhaim, Conway, Hammen, Proctor, Ali, Aumann, Barve, Beitzel, Bobo, Branch, Bromwell, Cardin, Carr, G. Clagett, V. Clagett, Donoghue, Doory, Dumais, Eckardt, Elmore, Feldman, Frank, Frick, Gaines, Gilchrist, Griffith, Gutierrez, Guzzone, Healey, Hecht, Heller, Hixson, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, Kipke, Kullen, Lafferty, Lee, Levy, Manno, McHale, McIntosh, Mizeur, Montgomery, Pena–Melnyk, Reznik, Rice, Schuh, Schuler, Shewell, Simmons, Sophocleus, Sossi, Stein, F. Turner, V. Turner, Waldstreicher, Walker, and Weldon

AN ACT concerning

High Performance Buildings Act – Applicable to Community College Capital Projects

FOR the purpose of making the High Performance Buildings Act applicable to community college capital projects that receive State funds; making this Act applicable to certain capital projects that have not initiated a certain Request for Proposal on or before a certain date; and generally relating to the construction of high performance buildings at community colleges.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 542 – Delegates Simmons and Waldstreicher

AN ACT concerning

Criminal Law – Human Trafficking – Inducing or Enticing

FOR the purpose of altering a provision of law prohibiting a person from knowingly persuading or encouraging another by threat or promise to be taken to or placed in any place for prostitution to prohibit a person from knowingly persuading, inducing, enticing, or encouraging another to be taken to or placed in any place for prostitution; applying certain penalties; and generally relating to human trafficking.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–303
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 543 – Delegates Braveboy, Davis, Manno, Barkley, Barnes, Burns, Feldman, Frush, Gaines, Glenn, Guzzone, Harrison, Haynes, Hucker, Impallaria, Ivey, Kirk, Krysiak, Lafferty, Levi, Love, Malone, McHale, Niemann, Pena–Melnyk, Ramirez, Riley, Ross, Schuler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Prevailing Wage Rates – Public Works Contracts – Suits by Employees

FOR the purpose of expanding rights and remedies for private enforcement suits under the State prevailing wage law; authorizing certain employees to seek certain compensation and additional remedies from certain employers under certain circumstances; authorizing certain employees to file certain court actions; requiring that certain actions be brought within a certain time period; providing that a certain contract is not a bar to the recovery of certain remedies; authorizing a court to award certain employees certain wages, other compensation, and fees in certain circumstances; authorizing certain employees to bring an action on their behalf and on behalf of certain other employees; subjecting certain persons to certain civil penalties; making it a crime for an employer to engage in certain conduct against certain employees; prohibiting a contractor or subcontractor from engaging in certain conduct against certain employees; subjecting a contractor or subcontractor to certain penalties for certain violations; and generally relating to private enforcement actions under the State prevailing wage law.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 17–224
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 544 – Delegates Hucker, Ali, Glenn, Holmes, Lafferty, Shank, Sossi, and Stein

AN ACT concerning

Real Property – Mechanic's Lien – Certified Interior Design Services

FOR the purpose of establishing that work done for or about a building, for purposes of establishing a mechanic's lien, includes certain interior design services provided by a certified interior designer; and generally relating to mechanics' liens.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 9–102(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 545 – Delegates Jameson, Barkley, G. Clagett, DeBoy, Krebs, Kullen, Levy, McComas, Montgomery, Murphy, Robinson, and Wood

AN ACT concerning

Vehicle Laws – Disposition of Traffic Citations

FOR the purpose of requiring persons who receive certain traffic citations to, within a certain time period, waive the right to trial and pay the fine, request a certain hearing, or elect to stand trial; altering the notice that certain traffic citations are required to contain; altering the traffic citations for which the District Court is required to issue a notice to appear; altering the time period within which persons who receive certain traffic citations may request a certain hearing; authorizing the District Court to issue, under certain circumstances, an arrest warrant for a person who fails to comply with a citation; authorizing the District Court to notify the Motor Vehicle Administration of the failure of a person to comply with a citation; requiring the Administration to notify a person who fails to comply with a citation that the driving privileges of the person may be suspended unless the person takes certain action; requiring the Administration to suspend the driving privileges of a noncompliant person under certain circumstances; providing for a delayed effective date; and generally relating to the disposition of traffic citations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–201 and 26–204
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 546 – Delegates Kelly, Dumais, and Kramer

AN ACT concerning

Vehicle Laws – Transporting Pets in Trucks or Trailers

FOR the purpose of prohibiting a person from transporting certain animals in or on a truck or trailer on a highway unless the truck or trailer is enclosed in a certain manner or unless the pet is confined in a certain manner; providing that a violation of this Act is not a moving violation for certain purposes; defining a certain term; establishing that certain penalties apply to a violation of this Act; and generally relating to the transportation of pets in or on trucks or trailers.

BY adding to
Article – Transportation
Section 21–1121.1

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 547 – Delegates Stein, Burns, Cardin, DeBoy, Hecht, and Mathias

AN ACT concerning

Vehicle Laws – Advertising Practices – Prohibited Acts

FOR the purpose of prohibiting a vehicle dealer or an agent or employee of a dealer from stating the purchase price of a vehicle in an advertisement unless the purchase price is printed in the largest font in the advertisement, the advertisement identifies certain attributes of the vehicle, and the vehicle is currently available for sale at the price stated in the advertisement; requiring the price stated in an advertisement to be the full delivered purchase price of the vehicle, excluding certain taxes and fees, and including certain charges; requiring an advertisement that states specific purchase prices for a list of vehicles to state the purchase price in the appropriate column or space for each vehicle listed; and generally relating to the advertising practices of vehicle dealers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–313
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 548 – Caroline County Delegation

AN ACT concerning

Caroline County – Department of Corrections Employment Applicants – Lie Detector Tests

FOR the purpose of exempting from the prohibition against an employer requiring or demanding, as a condition of employment, that an individual submit to or take a lie detector or similar test, individuals who apply for employment with the

Caroline County Department of Corrections either as a correctional officer or in any other capacity that involves direct contact with an inmate in the Department; and generally relating to the Caroline County Department of Corrections.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–702(a), (b)(3) and (4), and (c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702(b)(5)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 549 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Aumann, Boteler, Cardin, DeBoy, Frank, Impallaria, Jones, Lafferty, Malone, McDonough, Minnick, Olszewski, Stein, and Weir

AN ACT concerning

Baltimore County – Employees and Volunteers – Criminal History Records Check

FOR the purpose of authorizing the County Administrative Officer of Baltimore County or a designee of the officer to request from the Central Repository a State and national criminal history records check for a prospective or current employee or volunteer of Baltimore County; requiring that the officer or designee of the officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective or current employee or volunteer and the officer or designee of the officer the prospective or current employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing body of Baltimore County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks in Baltimore County.

BY adding to
Article – Criminal Procedure
Section 10–231.1
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 550 – Delegates Kelly, Simmons, and Smigiel

AN ACT concerning

Special Police Commissions – Recommended Denial of Application – Appeals

FOR the purpose of requiring the Secretary of State Police, on completion of a certain investigation of an applicant for a special police commission, to notify the applicant of the final decision of the Secretary on whether to recommend the denial or the granting of the application to the Governor; authorizing any person aggrieved by a final decision of the Secretary to take an appeal as a contested case in accordance with the Administrative Procedures Act; requiring the Secretary to transmit to the Governor the final disposition of any appeal made by a person aggrieved by a certain decision; and generally relating to special police commissions.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–305
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–306
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–202(a) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 551 – Delegates Kelly, Barnes, Dwyer, Jennings, Kramer, Levi, Myers, Valderrama, and Waldstreicher

AN ACT concerning

Law Enforcement Officers' Bill of Rights – Definition of Law Enforcement Officer

FOR the purpose of altering, for purposes of the Law Enforcement Officers' Bill of Rights, the definition of "law enforcement officer" to mean an individual who in an official capacity is authorized by law to make arrests and is a member of a law enforcement agency in this State, with certain exceptions.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 552 – Delegates Hucker and Sossi

AN ACT concerning

Maryland Homeowners Association Act – Closed Meetings of Homeowners Association

FOR the purpose of repealing a certain condition on which a meeting of the board of directors or other governing body of a homeowners association or a committee of a homeowners association may be held in closed session; and generally relating to closed meetings of a homeowners association.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11B–111(1) and (5)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11B–111(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 553 – Delegates Hucker and Sossi

AN ACT concerning

Maryland Condominium Act – Closed Meetings of Board of Directors

FOR the purpose of repealing a certain condition on which a meeting of the board of directors of a condominium council of unit owners may be held in closed session; and generally relating to closed meetings of the board of directors of a council of unit owners.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–109.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 554 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Gaithersburg Community Museum

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 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 Appropriations.

House Bill 555 – Delegate Barve

AN ACT concerning

State Government – Notary Public – Fees

FOR the purpose of altering the requirement that the Secretary of State set certain fees for notarial acts; altering the fee a notary public may charge for compensation of travel expenses; authorizing a notary public to charge a certain hourly fee; and generally relating to fees charged by a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–112

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 556 – Delegates Hecht, Anderson, Beidle, Bromwell, Bronrott, Carr, G. Clagett, Frush, Howard, McHale, Rosenberg, Schuh, and Weldon

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations

FOR the purpose of extending the statute of limitations in certain civil actions relating to child sexual abuse; authorizing claims for damages to be filed under this Act for a certain period of time for certain claims that would otherwise be barred under certain circumstances; providing for a delayed effective date; providing for the termination of certain provisions of this Act; and generally relating to child sexual abuse.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–117
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 557 – Delegates Hecht, Beidle, Benson, Bronrott, Carr, Frush, Howard, McDonough, and Schuh

AN ACT concerning

Nursing Homes – Electronic Monitoring (Vera's Law)

FOR the purpose of creating an exception to the prohibition against willfully intercepting a wire or electronic communication for a person who intercepts wire, oral, or electronic communications in a related institution under certain circumstances; requiring a related institution to allow a resident or a resident's legal representative to monitor the resident through the use of video cameras or other electronic monitoring devices; requiring a resident who shares a room with another resident to obtain written consent before beginning electronic monitoring; requiring the related institution to provide power sources and mounting space to set up electronic monitoring devices; prohibiting a related institution from refusing to admit an individual to the related institution or removing a resident from the related institution because of a request to install

an electronic monitoring device; prohibiting electronic monitoring from being conducted in the bathroom of a resident; establishing certain penalties for violators; requiring that tapes created from electronic monitoring be admissible in criminal and civil actions brought in Maryland courts, subject to the Maryland Rules of Evidence; requiring that certain tapes and recordings created from electronic monitoring be made available to the Department of Health and Mental Hygiene for a certain purpose; and generally relating to electronic monitoring in related institutions.

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–343.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 558 – Delegates Ali, Carr, Frush, Glenn, Serafini, Stein, and Stull

AN ACT concerning

Rental Car Parking Ticket Fairness Act

FOR the purpose of repealing a provision of law that provides that an owner of a rental vehicle is not liable for any penalty in excess of the original fine for a parking violation under certain circumstances; providing that the owner of a rental vehicle for which a parking citation is issued is not liable for payment of the fine or for any penalty in excess of the fine under certain circumstances; authorizing a political subdivision or State agency to mail a certain citation under certain circumstances; prohibiting a political subdivision or State agency from authorizing the placement of a certain wheel clamp on a rental vehicle; defining certain terms; and generally relating to parking citations for rental vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–301
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 559 – Delegate Morhaim

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 Department of Business and Economic Development jointly to adopt certain regulations; requiring the Department of Veterans Affairs and the Department of Business and Economic Development 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 Department of Business and Economic Development to make certain reports on or before certain dates; requiring the Department of Business and Economic Development to adopt certain regulations regarding the decertification of certain entities and to oversee and coordinate certain outreach programs and activities; requiring the Department of Business and Economic Development to use certain resources to implement a certain program; 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 16–203(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 4 – Delegate Jones

A House Joint Resolution concerning

Labor and Employment – Employee Free Choice Act

FOR the purpose of urging the United States Congress to enact legislation otherwise known as the Employee Free Choice Act, which establishes an efficient system to enable employees to form, join, or assist labor organizations.

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 46)

ADJOURNMENT

At 10:23 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 6, 2009.

Annapolis, Maryland
Friday, February 6, 2009

The House met at 11:01 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl G. Glenn of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 48)

The Journal of February 5, 2009 was read and approved.

EXCUSES:
Del. V. Clagett – medical
Del. Heller – late – illness
Del. Pendergrass – death in family
Del. Rosenberg – personal

INTRODUCTION OF BILLS

House Bill 560 – Delegates Kramer, Manno, Ramirez, Reznik, Simmons, and Valderrama

AN ACT concerning

Hate Crimes – Prohibitions and Protected Classes – Age, Gender, and Disability

FOR the purpose of including age, gender, and disability 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; prohibiting the attempt to commit a crime against a certain person because of the race, color, religious beliefs, sexual orientation, age, gender, disability, or national origin of that person; establishing that a certain penalty applies to certain offenses; and generally relating to hate crimes.

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

Section 10–304 and 10–305
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–306
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 561 – Delegates Kramer, Kelly, McComas, Shank, and Smigiel

AN ACT concerning

Crimes of Violence – Voided Revised Sentences

FOR the purpose of requiring a court to notify each victim of the crime for which the defendant was convicted before revising, modifying, or reducing the sentence imposed on the defendant for a certain crime of violence; providing the requirements for service of a certain notice to a victim; requiring a court to schedule a certain hearing under certain circumstances; providing that any revision, modification, or reduction of the sentence is void on a finding that the court failed to notify the victim; requiring a court to schedule a subsequent hearing under certain circumstances; defining a term; providing for the application of this Act; and generally relating to the revisory power of a court in criminal sentencing.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–233
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 562 – Delegates Kramer, Manno, Ramirez, Simmons, and Valderrama

AN ACT concerning

Hate Crimes – Civil Remedy

FOR the purpose of providing that a person who is aggrieved by a violation of certain hate crime laws may bring a civil action against a certain person; authorizing the court to impose an injunction and award certain damages; providing for the application of this Act; and generally relating to the right to file a civil action for a hate crime.

BY adding to
Article – Criminal Law
Section 10–309
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 563 – Delegates Kramer, Barkley, Heller, Kelly, Manno, McComas, Ramirez, Reznik, Rice, Shank, Smigiel, and Valderrama

AN ACT concerning

Criminal Law – Crimes of Violence 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 of violence against the elderly or persons with a disability.

BY adding to
Article – Criminal Law
Section 10–801 and 10–802 to be under the new subtitle "Subtitle 8. Crimes of Violence Against the Elderly or Persons with a Disability"
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 564 – Delegate Malone

AN ACT concerning

Vehicle Laws – Distracted Driving – Prohibition

FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle, where the inattention is caused by the person engaging in a certain preoccupying activity; providing that a violation of this Act is not a moving violation for the purpose of assessing certain points; authorizing a police officer to enforce this Act only as a secondary offense; defining certain terms; and generally relating to distracted driving.

BY adding to
Article – Transportation
Section 21–901.3
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 565 – Delegates Kramer, Kelly, Ramirez, Reznik, Shank, and Smigiel

AN ACT concerning

Criminal Procedure – State Commission on Criminal Sentencing Policy – Reconsideration of Sentence

FOR the purpose of requiring a judge or the judge's designee, within a certain period of time after ruling on a motion to revise, modify, or reduce the sentence imposed on a defendant for a certain crime of violence, to complete a Maryland sentencing guidelines worksheet reflecting the ruling, and to submit a copy of the completed worksheet to the State Commission on Criminal Sentencing Policy; requiring the Administrative Office of the Courts to adopt regulations to implement this Act on or before a certain date; and generally relating to criminal sentencing policy.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 6–207
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 566 – Delegates Kramer, Kelly, McComas, Ramirez, Shank, Smigiel, and Valderrama

AN ACT concerning

Criminal Law – Identity Fraud and Credit Card Crimes Against the Elderly or Persons with a Disability

FOR the purpose of prohibiting a person from committing certain identity fraud or credit card 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 2008 Supplement)

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

House Bill 567 – Delegates Hubbard, Barnes, Benson, Bromwell, Bronrott, Costa, Frush, Gaines, Howard, Ivey, Kipke, Kullen, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Reznik, Rosenberg, Ross, Tarrant, V. Turner, Walker, and Weldon

AN ACT concerning

Food Service Facilities – Artificial Trans Fats – Prohibition

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting a food service facility from using food containing artificial trans fat for certain purposes; providing for a certain exception to the use of trans fat by a food service facility; requiring a food service facility to maintain on–site the original label for certain food under certain circumstances; authorizing a food

service facility to provide certain documentation indicating the contents of a food instead of providing the original label; requiring a food service facility to obtain certain documentation under certain circumstances; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to list certain food service facilities on the Department's website under certain circumstances; providing that a violation of this Act shall have no effect on the issuance of a certain license; providing for the applicability of this Act to certain penalties; providing that certain provisions of this Act do not preempt certain local entities from enacting certain measures; providing for a delayed effective date; and generally relating to the prohibition on the use of artificial trans fat in a food service facility.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(e), (f), and (h) and 21–304(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–314, 21–315, 21–318, and 21–1214
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 21–353 through 21–357 to be under the new part "Part VIII. Artificial Trans Fat"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 568 – Delegates Kramer, Anderson, Carter, Dwyer, Frank, Kelly, Levi, McComas, McConkey, Ramirez, Smigiel, and Valderrama

AN ACT concerning

Nursing Facility Resident Protection Act

FOR the purpose of prohibiting sex offender registrants from knowingly entering onto real property on which certain nursing facilities are located unless a certain waiver has been granted; authorizing a registrant to seek a certain waiver for purposes of residence, treatment, or visitation; requiring certain facilities to consider certain factors when deciding whether to grant a waiver; requiring

certain facilities to provide certain written notice and prominently display certain notice when a certain waiver is granted; requiring certain facilities to provide certain notice of the arrival and departure of a registrant under certain circumstances; providing for the expiration of certain waivers; authorizing certain facilities to withdraw a waiver under certain circumstances; and generally relating to certain registrants entering onto nursing facility property.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–722
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 569 – Delegates Carter, Anderson, Cardin, Ramirez, Simmons, Smigiel, and Vallario

AN ACT concerning

Criminal Procedure – De Novo Appeal – Stay of Sentence

FOR the purpose of authorizing a circuit court, in a criminal appeal that is tried de novo, to stay a sentence of imprisonment and release the defendant pending trial under certain circumstances; and generally relating to de novo appeals and stays of sentence in criminal appeals cases.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 12–401
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 570 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Adoption – Child's Age of Consent

FOR the purpose of altering the age at which a child may consent to, or fail to object to, an adoption in certain provisions of law governing adoption through a local department of social services; and generally relating to adoption.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 5–338 and 5–350
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 571 – Delegates Kramer, Ali, Barkley, Carter, Gilchrist, Heller, Kelly, Manno, McComas, Montgomery, Ramirez, Reznik, Shank, Simmons, Smigiel, and Valderrama

AN ACT concerning

Senior Investment Protection Act

FOR the purpose of prohibiting a person from using a senior–specific certification or professional designation in such a way as to mislead a person in connection with the offer, sale, or purchase of any security or in advising another person as to the value, purchase, or sale of any security; specifying the factors that must be considered in determining whether a person is using a senior–specific certification or professional designation; establishing a rebuttable presumption that a certifying or professional designating organization is not disqualified under certain provisions of this Act under certain circumstances; providing that a certification or professional designation does not include a job title within certain organizations under certain circumstances; defining a certain term; and generally relating to the Senior Investment Protection Act.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 11–301 and 11–302
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 11–412
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 572 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Metropolitan Area Transit Authority – Finance and Governance

FOR the purpose of amending the Washington Metropolitan Area Transit Authority Compact in order to comply with certain federal requirements; increasing the number of directors on the Washington Metropolitan Area Transit Authority Board to include directors representing the federal government, subject to a certain requirement; providing for the appointment of federal directors and alternates; establishing an Office of the Inspector General within the Washington Metropolitan Area Transit Authority; providing for the duties and functions of the Office; providing that the Director of the Office is the Inspector General; requiring that certain payments made by signatories to the Washington Metropolitan Area Transit Authority to match certain federal funds be made from certain dedicated funding sources; requiring the Maryland Department of Transportation to provide grants from the Transportation Trust Fund to the Washington Suburban Transit District for the purpose of funding Maryland's required share of local funds for the Washington Metropolitan Area Transit Authority to match certain federal funds; defining a certain term; clarifying language; making this Act subject to a certain contingency; and generally relating to the finance and governance of the Washington Metropolitan Area Transit Authority.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 10–204 Title III Article III Section 5 and 9 and Article VII Section 18; and 10–205
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 573 – Delegates Cane, Holmes, Manno, Mathias, Minnick, and Sophocleus

AN ACT concerning

Environment – Floating Vessel Platforms

FOR the purpose of authorizing a person to construct, install, operate, or maintain a floating vessel platform without having to obtain a license from the Board of Public Works or a permit from the Department of the Environment under certain circumstances; and generally relating to floating vessel platforms.

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–105
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 574 – Delegates Hubbard, Anderson, Barnes, Barve, Benson, Bobo, Branch, Braveboy, Burns, Carter, V. Clagett, Gaines, Glenn, Gutierrez, Hecht, Holmes, Howard, Hucker, Krysiak, Kullen, Lafferty, Lee, Manno, McHale, McIntosh, Mizeur, Montgomery, Pena–Melnyk, Ramirez, Reznik, Riley, Ross, Taylor, F. Turner, V. Turner, Valderrama, and Weldon

AN ACT concerning

Prescription Drugs – Evidence–Based Prescriber Education and Outreach Program

FOR the purpose of establishing an Evidence–Based Prescriber Education and Outreach Program in the Department of Health and Mental Hygiene; establishing the purpose of the Program; requiring the Department, beginning on a certain date in consultation with certain health occupation boards and subject to certain availability, to work with the University of Maryland School of Pharmacy to develop, implement, and promote the Program; authorizing the Department to contract with the School to administer the Program; requiring the Program to provide certain health care professionals with certain information and education; authorizing the Program to provide the information and education to other health care professionals under certain circumstances; establishing requirements for the informational and educational materials used in the Program; requiring the Department, working with the School, to make certain determinations for individuals conducting outreach and education sessions; authorizing the Department to adopt certain regulations; establishing an Evidence–Based Prescriber Education and Outreach Program Fund; establishing the purpose of and requirements for the Fund; providing that the Fund consists of certain fees and certain other money; providing that the Fund may be used only for certain purposes; requiring the State Treasurer to invest the money of the Fund in a certain manner and to credit certain earnings to the General Fund of the State; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring as of a certain date and annually thereafter certain pharmaceutical manufacturers and labelers to pay a certain fee to the Department; authorizing the Department to reduce the fee for certain pharmaceutical manufacturers and labelers; requiring the Department to deposit all fees collected in the Fund; defining certain terms; and generally relating to an Evidence–Based Prescriber Education and Outreach Program.

BY adding to
Article – Health – General
Section 21–2B–01 through 21–2B–03 to be under the new subtitle "Subtitle 2B. Evidence–Based Prescriber Education and Outreach Program"
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 575 – Delegates Kramer, Kelly, Reznik, Shank, and Smigiel

AN ACT concerning

Correctional Services – Limitation on Total Number of Diminution Credits – Primary Drug, Violent, and Sexual Offenders

FOR the purpose of providing that a certain provision of law limiting a certain deduction from a term of confinement that can be earned applies to a certain single sentence as well as a certain consecutive or concurrent sentence; reducing the maximum total number of diminution credits that an inmate is allowed for a calendar month if the inmate's term of confinement includes a sentence for certain crimes; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 3–701
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704 and 3–708
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 576 – Delegates Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Kach, Kullen, Riley, and Weldon

AN ACT concerning

Dental Hygienists – Expanded Functions

FOR the purpose of altering the definition of "practice dental hygiene"; authorizing the State Board of Dental Examiners to adopt certain regulations; altering the authority of the Board to adopt certain rules and regulations concerning the administration of certain anesthesia by certain dental hygienists; authorizing certain dental hygienists to administer certain anesthesia under certain circumstances; requiring certain dental hygienists to meet certain educational and examination requirements before performing certain functions; altering a

certain calculation of the number of unsupervised clinical hours worked by supervised dental hygienists under certain circumstances; and generally relating to the practice of dental hygiene.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–101(k), 4–205(a)(1), 4–206, and 4–308(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 4–206.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 577 – Carroll County Delegation

AN ACT concerning

Carroll County – Education – Organization of Teachers and Other Personnel

FOR the purpose of altering the definition of "public school employee" in Carroll County, as it relates to the organization of certificated employees, to include a registered nurse; and generally relating to the organization of teachers and other personnel in Carroll County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–401(d)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 578 – Carroll County Delegation

AN ACT concerning

Carroll County – Board of Education – Election of Board Officers

FOR the purpose of altering the date by which the Carroll County Board of Education is required to elect a president and vice president from among its members; and generally relating to the Carroll County Board of Education.

BY repealing and reenacting, without amendments,
Article – Education
Section 3–401(d)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–402
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 579 – Delegates Mizeur, Aumann, Barkley, Benson, Cane, Carr, Costa, Feldman, Frick, Guzzone, Hecht, Hubbard, Krysiak, Lafferty, Manno, McHale, Montgomery, Ramirez, Reznik, Robinson, Schuler, Tarrant, and Taylor

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 for prosthetic devices, components of prosthetic devices, and repairs to prosthetic devices; prohibiting certain benefits from being subject to a certain copayment or coinsurance requirement; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a certain dollar maximum on certain coverage and from establishing certain requirements for medical necessity or appropriateness; repealing a certain requirement for certain health insurance contracts that is rendered inconsistent by this Act; making certain provisions of this Act applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance coverage for prosthetic devices, components of prosthetic devices, and repairs to prosthetic devices.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–820
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–844

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 580 – Delegates Mizeur, Carr, Carter, Donoghue, Frick, Haynes, Healey, Hecht, Hixson, Kullen, Lafferty, Levy, Manno, Minnick, Murphy, Oaks, Reznik, Riley, Robinson, Shewell, F. Turner, Waldstreicher, and Weldon

AN ACT concerning

Foster Kids Coverage Act

FOR the purpose of requiring the Maryland Medical Assistance Program to provide, subject to certain conditions, certain health care services for independent foster care adolescents; defining a certain term; and generally relating to Maryland Medical Assistance Program services for independent foster care adolescents.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–101(d–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 581 – Delegates Kramer, Dwyer, McComas, Reznik, Shank, and Smigiel

AN ACT concerning

Correctional Services – Crimes of Violence – Diminution Credits

FOR the purpose of prohibiting the earning of more than a certain percentage of diminution credits to reduce the term of confinement of an inmate committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility if the inmate has been convicted of certain crimes of violence, in certain circumstances; providing for the application of this Act; and generally relating to the allowance of diminution credits to inmates convicted of certain violent crimes.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 7–301(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 582 – Delegates Carter, McComas, McConkey, and Vallario

AN ACT concerning

Estates and Trusts – Real and Leasehold Property – Valuation

FOR the purpose of allowing real and leasehold property included in an estate to be valued at the contract sales price for the property under certain circumstances; making technical changes; and generally relating to valuation of real and leasehold property included in an estate.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 7–202(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 7–202(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 583 – Delegates Kramer, Ali, Barkley, Heller, Kelly, Levi, Manno, McComas, Ramirez, Reznik, Rice, Shank, Simmons, Smigiel, and Valderrama

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 that the person knows or reasonably should know is of at least a certain age, with intent to deprive the individual of the individual's property; altering a certain definition of "undue influence" to include the exercise, under certain circumstances, of certain dominion and influence over an individual of at least a certain age; applying certain penalties; making conforming changes; 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 2008 Supplement)

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

House Bill 584 – Delegates Kullen and O'Donnell

AN ACT concerning

Patuxent River – Oyster Dredging – Authorization

FOR the purpose of authorizing the harvest of oysters by dredge in certain areas of the Patuxent River; and generally relating to oyster dredging in the Patuxent River.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1012
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 585 – Delegates Costa and Pena–Melnyk

AN ACT concerning

Health Insurance – Use of Physician Rating Systems by Carriers

FOR the purpose of providing that a carrier may only use a physician rating system for certain health benefit plans if the system meets certain requirements; providing that a carrier may only use certain categories of measurements in a physician rating system; prohibiting a carrier from rating a physician based solely on cost efficiency; requiring a carrier to calculate and disclose certain measures in a certain manner; requiring a carrier to disclose a material change in a physician rating system at a certain time; requiring a carrier to use certain risk adjustments in determining the quality of performance and the cost efficiency of a physician; requiring a carrier to describe its physician rating system to certain physicians in a certain manner; requiring a carrier to make certain disclosures to certain physicians and enrollees; requiring a carrier to ensure that certain data is accurate; requiring a carrier to use certain measurements under certain circumstances; requiring a carrier to describe to certain physicians and to a certain ratings examiner certain information; requiring a carrier to make certain determinations in determining the data to be used to measure the quality of performance of a physician; requiring a carrier to use the most current claims and data to measure physician quality of performance; requiring a carrier to use certain computer software under certain circumstances; requiring a carrier that uses a physician rating system to establish a certain complaint process for enrollees; requiring a carrier that uses a physician rating system to post certain information on its website in a certain manner; requiring a carrier to provide certain physicians certain information at a certain time before making certain information available to enrollees; prohibiting a carrier from making a certain change under certain circumstances; requiring a carrier to establish a certain appeals process under certain circumstances; providing that a ratings examiner shall have oversight and review of the appeals process; requiring a carrier to contract with and pay for a ratings examiner to review certain physician rating systems; prohibiting a carrier from implementing a physician rating system until the carrier submits the system to a certain ratings examiner for review; requiring a carrier to make certain disclosures and provide certain information to a ratings examiner; requiring a carrier to obtain certain reviews by a ratings examiner under certain circumstances; requiring a carrier to disclose the results of any reviews conducted by a ratings examiner in a certain manner; requiring a certain ratings examiner to report annually to the Office of the Attorney General and the Maryland Insurance Administration regarding certain information; authorizing the Insurance Commissioner, in consultation with the Office of the Attorney General, to adopt regulations to implement the provisions of this Act;

defining certain terms; and generally relating to use of physician rating systems by health insurance carriers.

BY adding to
Article – Insurance
Section 15–1701 through 15–1709 to be under the new subtitle "Subtitle 17. Regulation of Physician Rating Systems"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 586 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Frederick County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Frederick County.

BY adding to
Article 2B – Alcoholic Beverages
Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"; and 11–511(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–511(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–511(c)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 587 – Delegates Kaiser, Barkley, Cardin, Manno, Olszewski, Schuh, and V. Turner

AN ACT concerning

Education – Teacher Identification Number

FOR the purpose of authorizing the State Department of Education to assign a unique identification number to each teacher employed in the public schools in the State; requiring that the identification number meet certain requirements; limiting the use of the teacher identification number to certain educational purposes; and generally relating to assigning an identification number to school teachers.

BY adding to
Article – Education
Section 6–115
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 588 – Delegates Kaiser, Cardin, and Olszewski

AN ACT concerning

Education – Public Schools – Standardized Course Numbering System

FOR the purpose of authorizing the State Department of Education to develop a standardized course numbering system to facilitate the collection of data on student participation in courses offered in the public schools; authorizing each county school system to adopt the standardized course numbering system on a voluntary basis; requiring a certain county school system to provide a translation of course numbers under certain circumstances; and generally relating to a standardized course numbering system in public schools.

BY adding to
Article – Education
Section 7–112.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 589 – Delegates Ivey, Ali, Cardin, Gilchrist, Ramirez, Rice, Ross, and Walker

AN ACT concerning

Election Law – Request for Change of Party Affiliation – Deadline

FOR the purpose of altering the deadline for requesting a change of party affiliation to coincide with the deadline for registering to vote for an election; making conforming changes; and generally relating to the deadline for requesting a change of party affiliation.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 3–302
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–303
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 590 – Delegate Kullen

AN ACT concerning

Long–Term Care Insurance – Qualified State Long–Term Care Insurance Partnership – Revisions

FOR the purpose of repealing the requirement that a certain outline of coverage for long–term care insurance contain a certain statement about a policy or contract of long–term care insurance; altering a certain statement about a policy or contract of long–term care insurance that must be included in a certificate that is issued under group long–term care insurance; and generally relating to long–term care insurance and the Qualified State Long–Term Care Insurance Partnership.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 18–106 and 18–107
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 70 of the Acts of the General Assembly of 1997)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 591 – Delegates Kullen, O'Donnell, Proctor, and Vallario

AN ACT concerning

Calvert County – Winery Special Event Permits – Farmers' Markets

FOR the purpose of authorizing a limited winery in Calvert County to be issued a winery special event permit for unlimited use during the calendar year at all farmers' markets in Calvert County; and generally relating to winery special event permits used at farmers' markets in Calvert County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 592 – Delegate Kullen

AN ACT concerning

Vehicle Laws – Off–Highway Recreational Vehicles – Titling

FOR the purpose of defining "off–highway recreational vehicle"; altering the definition of "vehicle" to include off–highway recreational vehicles; requiring the owner of an off–highway recreational vehicle not purchased before a certain date to apply for a certificate of title in certain circumstances; 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, for purposes of determining a certain excise tax, the fair market value of a used off–highway recreational vehicle is the greater of the total purchase price or a certain amount; imposing an excise tax for each original and each subsequent certificate of title issued for an off–highway recreational vehicle for which sales and use tax is not collected at the time of purchase; providing that an off–highway recreational vehicle is not required to be inspected when ownership is transferred; providing for the construction of this Act; and generally relating to off–highway recreational vehicles and titling.

BY adding to
Article – Transportation
Section 11–140.1 and 13–102(13)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–176, 13–102(11) and (12), 13–104(a), 13–108.1, 13–809, and 23–106
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–101.1 and 13–610
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 593 – Delegates Dumais, Bronrott, Feldman, Frick, Lee, and Rice

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, the State's Attorney or the Department of Juvenile Services requests that the person be required to register, the court determines at a certain time and under a certain standard that the person is at risk for committing certain offenses, and the person 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; requiring that the form of certain petitions and pleadings and the procedures to be followed by a court under certain circumstances be specified in the Maryland

Rules; 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 the term of registration for a certain person; 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 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–27(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(c), (j), and (m), 11–704, 11–705, and 11–707
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(k)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 594 – Delegate Walker

AN ACT concerning

Minority Business Enterprise Certification – Personal Net Worth Requirement – Repeal

FOR the purpose of repealing the requirement regarding personal net worth for certification as a minority business enterprise; and generally relating to the requirements for certification as a minority business enterprise.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 595 – Delegates Olszewski and Cardin

AN ACT concerning

State Government – Recycling Program – Aluminum, Glass, Paper, and Plastic

FOR the purpose of requiring the Office of Recycling in the Department of the Environment to include certain elements in the State's recycling plan for State government; requiring State agencies and units of State government to implement the plan by a certain date; deleting certain obsolete dates; and generally relating to requirements for recycling for State government.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1706
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 596 – Delegate Benson

AN ACT concerning

International Marriage Brokers – Regulation

FOR the purpose of requiring an international marriage broker to provide certain notice to its recruits and to provide certain information to a recruit on request; requiring a client of an international marriage broker to obtain and provide certain information to the international marriage broker and to affirm that certain information is accurate and complete; requiring the Central Repository to process certain State and national criminal history records checks on submission of certain information and fees; prohibiting an international marriage broker from providing further services to a certain client or recruit until certain information is received and provided to a recruit; prohibiting an international marriage broker from further dissemination of certain

information; establishing penalties for violating this Act; requiring the court to consider certain factors in determining a certain penalty; defining certain terms; and generally relating to international marriage brokers.

BY adding to
Article – Business Regulation
Section 19–601 through 19–607 to be under the new subtitle "Subtitle 6. International Marriage Brokers"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 597 – Delegate Benson

AN ACT concerning

State Board of Physicians – Polysomnographic Technologists – Education and Licensing Requirements

FOR the purpose of requiring the State Board of Physicians to waive certain education requirements for certain polysomnographic technologists who meet certain requirements by a certain date; altering the date by which an individual must be licensed before the individual may practice polysomnography in the State; and generally relating to education and licensing requirements for polysomnographic technologists.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–5C–01(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–5C–08 and 14–5C–10
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 598 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; authorizing the University System of Maryland to issue bonds, in a certain total principal amount of money, to finance certain projects; providing that the bonds issued under the authority of this Act are not a debt or obligation of the State or any of its subdivisions; and generally relating to the authority to issue academic facilities bonds.

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

House Bill 599 – Delegates Bates, Barkley, Boteler, McComas, Miller, Myers, Robinson, Shewell, and Sossi

AN ACT concerning

Andrew's Law

FOR the purpose of requiring the Motor Vehicle Administration to provide for a method by which an applicant for a driver's license or identification card can designate an individual to contact in the event the applicant becomes incapacitated; requiring the Administration to make a notation on the applicant's driving record or record of application for an identification card indicating the fact that the applicant has designated a certain individual as an emergency contact in the event the applicant becomes incapacitated; requiring the Administration to develop a database system that contains certain telephone numbers and is accessible by a law enforcement officer; requiring the Administration to notify an applicant of certain facts; defining a certain term; and generally relating to developing a system for designating an individual to contact under certain circumstances.

BY adding to
Article – Transportation
Section 12–302
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 600 – Delegates Beitzel, Anderson, Aumann, Bartlett, Bates, Beidle, Bromwell, G. Clagett, Dwyer, Elliott, Elmore, Frank, Frush, Haynes, Jameson, Jennings, Kaiser, Kelly, King, Kipke, Krebs, Krysiak, Lee, Levy, Love, Mathias, McConkey, McDonough, Miller, Minnick, Myers, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Serafini, Sophocleus, Stukes, Stull, V. Turner, and Weldon

AN ACT concerning

State Government – Commemorative Month – Young Heroes Month

FOR the purpose of requiring the Governor to proclaim the month of October to be Young Heroes Month; and generally relating to Young Heroes Month.

BY adding to
Article – State Government
Section 13–503
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 601 – Delegates Niemann, Ali, Benson, Carr, Frush, Glenn, Healey, Holmes, Hubbard, Hucker, Lafferty, Levi, Manno, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ross, Shewell, Stein, V. Turner, and Weir

AN ACT concerning

Public Health – Chain Restaurants – Nutrition Information Labeling

FOR the purpose of requiring certain chain restaurants to provide certain nutrition information for certain menu items; establishing how the nutrition information is to be determined; authorizing restaurants voluntarily to provide customers with additional nutrition information; authorizing certain restaurants to limit the display of certain nutrition information under certain circumstances; requiring certain nutrition information to be displayed in a certain manner; requiring certain restaurants to display certain statements regarding daily nutrition requirements; establishing certain exceptions to certain enforcement procedures; authorizing a local health department to enforce certain provisions; providing for certain civil penalties; providing for certain exemptions from certain penalties; defining certain terms; providing for a delayed effective date; and generally relating to nutrition information provided by chain restaurants.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–313 and 21–1214
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General

Section 21–353 through 21–356 to be under the new part "Part VIII. Nutrition Information Labeling"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 602 – Delegates Bates, Boteler, George, McComas, McDonough, Miller, Myers, Shewell, and Sossi

AN ACT concerning

Smart Start Scholarship Program

FOR the purpose of establishing the Smart Start Scholarship Program in the State Department of Education; authorizing certain schools to apply to the Department to participate in the Program; authorizing eligible students to apply for certain scholarships; requiring the Department to award scholarships under certain circumstances; requiring the Department to determine the amount of certain scholarships based on certain income eligibility; establishing requirements for the use of scholarship moneys; requiring participating schools to use a certain selection process; requiring certain counties to include certain students in their full–time equivalent enrollment; requiring certain schools to comply with certain administrative, financial, and academic accountability requirements; establishing the autonomy of certain schools; requiring the Department to conduct a certain public awareness program, create a certain form, and prohibit certain schools from further participation in the Program under certain circumstances; requiring certain county boards to provide school records and transportation for certain students; requiring the Department to conduct a certain evaluation and submit certain reports by certain dates; defining certain terms; requiring the Department to adopt certain regulations; and generally relating to the establishment of the Smart Start Scholarship Program in the State Department of Education.

BY adding to
Article – Education
Section 9.5–101 through 9.5–109 to be under the new title "Title 9.5. Smart Start Scholarship Program"
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 603 – Delegates Bates, Boteler, Dwyer, George, McComas, McDonough, Miller, Myers, Shewell, and Sossi

AN ACT concerning

Great Preschools Tax Credit Program

FOR the purpose of allowing an individual or a corporation a credit against the State income tax for certain contributions to certain scholarship–granting organizations, subject to certain limitations; providing for the carryover of certain unused credit under certain circumstances; requiring certain scholarship–granting organizations to take certain actions to be eligible for certain donations for which a tax credit may be claimed; requiring the Comptroller to administer the Great Preschools Tax Credit Program; requiring the Comptroller to adopt certain regulations; requiring the Comptroller to submit certain reports; defining certain terms; providing for the application of this Act; and generally relating to the Great Preschools Tax Credit Program.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 604 – Delegate Beitzel

AN ACT concerning

Garrett County – County Commissioners – Commercial Grade Wind Turbines – Authority to Set Standards

FOR the purpose of authorizing the County Commissioners of Garrett County to enact ordinances regulating the height, size, location, and setback of commercial wind turbine structures in Garrett County; and generally relating to wind turbines in Garrett County.

BY adding to
Article 25 – County Commissioners
Section 236G
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 605 – Delegate Beitzel

AN ACT concerning

Public Utility Companies – Generating Stations – Wind

FOR the purpose of repealing a provision that exempts a certain person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; repealing a provision requiring the Commission to provide certain notices; amending the termination provision for a certain reporting requirement; and generally relating to electricity from wind generating stations.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–207(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Chapter 163 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, with amendments,
Chapter 163 of the Acts of the General Assembly of 2007
Section 4

Read the first time and referred to the Committee on Economic Matters.

House Bill 606 – Delegate Beitzel

AN ACT concerning

Garrett County – County Commissioners – Signs on State and Local Roadways – Authority to Adopt Local Ordinance

FOR the purpose of authorizing the County Commissioners of Garrett County to enact ordinances regulating the height, size, location, and setback of certain signs on certain roads; and generally relating to the regulation of road signs in Garrett County.

BY adding to
Article 25 – County Commissioners
Section 154A
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 607 – Delegates Burns, Benson, Braveboy, Cane, Carter, Conaway, Gaines, Harrison, Haynes, Holmes, Howard, Hubbard, Kirk, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Robinson, Stukes, V. Turner, and Walker

AN ACT concerning

State Government – Commemorative Months – Black History Months

FOR the purpose of requiring the Governor to proclaim the months of January and February to be Black History Months.

BY repealing and reenacting, with amendments,
Article – State Government
Section 13–502
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 608 – Delegate Weir

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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 609 – Delegates Holmes, Carr, V. Clagett, and Niemann

AN ACT concerning

Chesapeake Bay Phosphorous Reduction Act of 2009

FOR the purpose of prohibiting a certain fertilizer from being labeled in a certain manner on or after a certain date; requiring a certain fertilizer to be marked with certain words in a certain manner on or after a certain date; prohibiting a certain person from selling or distributing certain fertilizer at a retail establishment on or after a certain date unless it is low phosphorous fertilizer; requiring certain manufacturers to reduce phosphorous levels resulting from the application of their lawn care products by a certain amount and on or before a certain date; prohibiting certain manufacturers from exceeding certain phosphorous levels in their lawn care products under certain circumstances; requiring certain manufacturers to report certain phosphorous levels annually to the Department of Agriculture after a certain date; authorizing the Department 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 and 2008 Supplement)

BY adding to
Article – Agriculture
Section 6–222
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 610 – Delegate Morhaim

AN ACT concerning

Health Insurance – Discrimination or Rebates – Bona Fide Wellness Programs

FOR the purpose of altering the conditions under which it is not discrimination or a rebate for an insurer, a nonprofit health service plan, a health maintenance organization, or a dental plan organization to provide reasonable incentives for participation in a bona fide wellness program; providing that it is not discrimination or a rebate for a carrier to provide reasonable incentives for participation in a bona fide wellness program if the bona fide wellness program satisfies certain requirements; providing that a bona fide wellness program shall be construed in a certain manner if certain conditions are met; providing that an incentive may not be construed in a certain manner unless certain conditions are met; authorizing the use of certain language to satisfy certain requirements; defining certain terms; and generally relating to exceptions to prohibitions against discrimination or rebates for bona fide wellness programs offered with health insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–210(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–210(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 611 – Delegate G. Clagett

AN ACT concerning

State Personnel – Attorney General – Special Appointments

FOR the purpose of establishing that certain staff members in the Office of the Attorney General are special appointments who may not be determined to be political special appointments under certain provisions of State personnel law; establishing that certain staff positions in the Office of the Attorney General are political special appointments under certain provisions of State personnel law; making certain conforming and clarifying changes; and generally relating to special appointments in the Office of the Attorney General.

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–105
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 6–405
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 612 – Delegates Hixson, Ali, Anderson, Barkley, Barnes, Barve, Bobo, Braveboy, Bronrott, Cane, Carr, Doory, Feldman, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hucker, Ivey, Jones, Kaiser, Kirk, Kramer, Krysiak, Lee, McIntosh, Mizeur, Montgomery, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Reznik, Robinson, Rosenberg, Ross, Stukes, Taylor, V. Turner, and Valderrama

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 the nonresident tuition rate 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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 613 – Delegate Stifler

AN ACT concerning

Public Safety – Elevators – Inspections

FOR the purpose of requiring that a State inspector make certain inspections relating to elevators and perform quality control monitoring of inspections by certain third–party qualified elevator inspectors; requiring an owner of an elevator to

hire a third–party qualified elevator inspector to conduct certain inspections required by the Safety Code for elevator units; requiring an inspection by a third–party qualified elevator inspector to ensure that the elevator unit complies with the Safety Code and other regulations adopted by the Commissioner of Labor and Industry; requiring each elevator unit in the State to have a certain periodic annual inspection by a State inspector or by a third–party qualified elevator inspector; altering the procedures for issuing certain citations and assessing certain penalties; requiring the Commissioner to issue a certain citation under certain circumstances; requiring an owner who is issued a certain citation to post the citation or a copy of the citation in a certain manner; requiring the Commissioner to send by certified mail to the owner a certain notice within a reasonable time after issuance of a certain citation, authorizing an owner to request a hearing on the citation, within a certain period after receiving the notice; providing that a citation and penalties become a final order if a hearing is not requested; authorizing the Commissioner to delegate to the Office of Administrative Hearings the authority to hold a certain hearing and issue certain rulings; providing that a certain decision of an administrative law judge shall become a final order of the Commissioner under certain circumstances; requiring the Commissioner to issue a certain order under certain circumstances; authorizing the Commissioner to assess and collect a certain civil penalty under certain circumstances; requiring the Commissioner to consider certain elements in determining a certain penalty; authorizing the Commissioner to assess and collect double administrative penalties on making a certain determination; authorizing the Commissioner to impose a certain penalty on an owner for failure to correct a certain violation; requiring a certain civil penalty to be paid into the General Fund of the State; making certain technical changes; and generally relating to the inspection of elevators.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–801(a) and (r) and 12–814.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–809, 12–812, and 12–814
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 12–814.2 and 12–814.3
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 614 – Delegates Carr, Ali, Beidle, Braveboy, Haynes, McDonough, Minnick, and Shewell

AN ACT concerning

Enterprise Zones – County Tax Credits

FOR the purpose of authorizing a county to allow, by law, a business entity that is not eligible for a certain tax credit to claim a credit against county taxes for certain improvements to properties located in an enterprise zone; requiring the governing body of a county to provide for calculation of the amount of the credit and to specify which county tax or taxes the credit applies to, the improvements eligible for the credit, the qualifications for eligibility, the conditions of certification, and the process for application for the credit; authorizing the county to impose limits on the amount of credits issued for any taxable year; authorizing the county to make the credit refundable; authorizing the county to provide for the recapture of the credit; and generally relating to the authority of a county to authorize a credit against county taxes for improvements to property located in an enterprise zone.

BY adding to
Article – Economic Development
Section 5–710
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 615 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Troy Regional Park

Ho. Co. 04–09

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 Appropriations.

House Bill 616 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Hearing Board and Liquor Board Personnel

Ho. Co. 11–09

FOR the purpose of specifying that personnel needed in Howard County to carry out the duties of the Appointed Alcoholic Beverage Hearing Board and the Board of License Commissioners be included in the staff of the County Council and supervised by the County Council Administrator; repealing a provision of law that requires the director of a certain agency to provide a single administrator to serve both the Appointed Alcoholic Beverage Hearing Board and the Board of License Commissioners; repealing a provision of law that authorizes the director of a certain agency to provide certain staffing; and generally relating to the regulation of alcoholic beverages in Howard County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–107.1(a)(1) through (4) and (6)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 15–107.1(g)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 15–107.1(g)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 617 – Howard County Delegation

AN ACT concerning

Creation of State Debt – Howard County – Robinson Nature Center

Ho. Co. 03–09

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 Appropriations.

House Bill 618 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Living Farm Heritage Museum

Ho. Co. 05–09

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 Howard County Antique Farm Machinery 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 Appropriations.

House Bill 619 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Ellicott City Post Office

Ho. Co. 02–09

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; 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 Appropriations.

House Bill 620 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Linwood Center

Ho. Co. 01–09

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 Linwood 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 Appropriations.

House Bill 621 – Delegates Bates, Boteler, Dwyer, Eckardt, George, Krebs, Miller, Shank, Shewell, Sossi, and Wood

AN ACT concerning

Procurement – Prevailing Wage Rate Law – Repeal

FOR the purpose of repealing provisions of law regarding prevailing wage rates for public work contracts; repealing provisions limiting the application of the prevailing wage rates to a public work contract above a certain amount or a part of a public work contract that is required to comply with the prevailing wage rate determined by the United States Secretary of Labor; repealing the provisions of law regarding the Advisory Council on Prevailing Wage Rates in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation; repealing the provision of law that requires a contractor or subcontractor under a public work contract to employ only certain workers and apprentices; repealing the provision of law that prohibits a contractor or subcontractor under a public work contract from employing certain helpers and trainees; repealing the provision of law that authorizes a contractor or subcontractor under a public work contract to refuse to employ a certain worker that is a resident of another state under certain circumstances; repealing the requirement that the Commissioner of Labor and Industry adopt prevailing wage rates for straight time and overtime for each classification of worker engaged in work of the same or similar character; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross–references and terminology rendered incorrect by this Act; and generally relating to repeal of the prevailing wage rate law.

BY repealing
Article – State Finance and Procurement
Section 17–201 through 17–226 and the subtitle "Subtitle 2. Prevailing Wage Rates – Public Work Contracts"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 622 – Delegates Bates, Boteler, Eckardt, Krebs, McComas, Miller, Sophocleus, Sossi, Weldon, and Wood

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 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 623 – Allegany County Delegation

AN ACT concerning

Local School Systems – Biannual Financial Status Report Requirement – Repeal

FOR the purpose of repealing the requirement that a local superintendent of schools or chief executive officer of a local school system file a certain biannual report on the financial status of a local school system; requiring a certain local school system that has a certain financial deficit to include certain information in a

certain annual audit; and generally relating to reporting requirements for local school systems.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–114
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 624 – Allegany County Delegation

AN ACT concerning

Allegany County – Alcoholic Beverages – Volunteer Company License

FOR the purpose of establishing a Class C (volunteer company) beer, wine and liquor license in Allegany County; specifying the persons to whom the license may be issued; specifying that a holder of the license may keep and sell alcoholic beverages for consumption on or off the premises; specifying that the patrons of a club for which a license is issued are not limited to certain individuals; providing for a license fee; making certain stylistic changes; and generally relating to alcoholic beverages in Allegany County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 625 – Washington County Delegation

AN ACT concerning

Washington County – Office of the Sheriff – Special Deputy Sheriffs and Deputized Individuals

FOR the purpose of authorizing the Sheriff of Washington County to assign special deputy sheriffs to duties in areas of the county other than the municipality where the special deputy sheriff is a member of the police force; authorizing the Sheriff of Washington County, in an emergency, to deputize temporarily any able–bodied citizen to assist in carrying out the duties of the Sheriff's office; requiring the County Commissioners of Washington County to provide certain compensation to an individual deputized under certain circumstances; providing

that an individual deputized under certain circumstances may remain deputized only for a certain period of time; making certain clarifying changes; and generally relating to the office of the Sheriff of Washington County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(w)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(w)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 626 – Delegate Anderson

AN ACT concerning

Criminal Law – Controlled Dangerous Substance – Manufacture

FOR the purpose of removing the prohibition on the manufacture of a controlled dangerous substance from the portion of the law that prohibits distributing and dispensing a controlled dangerous substance and placing it with the portion of the law that prohibits the manufacture, distribution, or possession of certain equipment used to produce controlled dangerous substances; establishing that a violation of the prohibition against manufacturing a controlled dangerous substance or manufacturing, distributing, or possessing a machine, equipment, instrument, implement, device, or a combination of them is an "underlying crime" for purposes of defining a criminal gang; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–602, 5–603, and 9–801
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 627 – Delegate Krebs

AN ACT concerning

Maryland Estate Tax and Income Tax – Deductions for Estate Expenses and Losses

FOR the purpose of repealing a provision prohibiting a certain deduction in computing the taxable estate of a decedent for purposes of calculating the Maryland estate tax; requiring a certain addition modification under the Maryland income tax if a certain deduction has been or will be allowed in computing the taxable estate of a decedent on a Maryland estate tax return; providing for the application of this Act; and generally relating to deductions under 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 2008 Supplement)

BY repealing
Article – Tax – General
Section 7–309(b)(7)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–205(k)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 628 – Delegates Robinson, Conaway, and Tarrant

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 not to exceed $100,000, the proceeds to be used as a grant to the Board of Directors for the Center for Urban Families Fund, Inc. on behalf of the Center for Urban Families, 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 Appropriations.

House Bill 629 – Delegate Holmes

AN ACT concerning

Transportation – Used Vehicle Sales – Notice of Defects and Responsibility for Repairs

FOR the purpose of requiring certain contracts for the sale of certain used vehicles to include a notice to the buyer that lists certain defects of a used vehicle sold to the buyer; requiring certain dealers of certain used vehicles to be responsible for the cost of certain repairs to a certain used vehicle; specifying the repairs that must be included in the notice to the buyer; and generally relating to sales of used vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–311
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 630 – Delegates Levi, Benson, Branch, Burns, DeBoy, Glenn, Howard, Ivey, Kach, Kirk, Lafferty, Montgomery, Proctor, Ross, Schuh, Schuler, Stukes, V. Turner, Vallario, Vaughn, and Walker

AN ACT concerning

Restore Respect at School Act

FOR the purpose of denying eligibility for a certain subtraction modification under the Maryland income tax for certain household and dependent care expenses to certain parents or guardians if their dependent child does not meet certain school discipline and attendance requirements; denying eligibility for a certain credit allowed against the State income tax for certain child care and dependent care expenses to certain parents or guardians if their dependent child does not meet certain school discipline and attendance requirements; requiring the State Board of Education to adopt certain regulations that provide a process for determining ineligibility; requiring a certain notice of ineligibility to be sent in writing to the Comptroller; requiring certain revenue attributable to a certain denial of a certain subtraction modification and a tax credit for certain

dependent care expenses to certain parents or guardians to be distributed to a certain special fund; providing for the application of this Act; requiring the State Board of Education and the Comptroller to report to the General Assembly on or before a certain date; and generally relating to a certain subtraction modification and tax credit for certain dependent care expenses under the Maryland income tax.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–203(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 6–203(e) and 7–305(a) through (c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 7–311
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–609, 10–208(e), and 10–716
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 631 – Delegates Levi, Barkley, Davis, DeBoy, Kramer, Manno, Schuler, and Stukes

AN ACT concerning

Criminal Law – Assault on Transit Operators and School Employees – Enhanced Penalties

FOR the purpose of prohibiting a person from intentionally causing or attempting to cause serious physical injury to a person operating a transit vehicle or to a school employee working in a public school; prohibiting a person from causing physical injury to another if the person knows or has reason to know that the person is operating a transit vehicle or is a school employee; providing certain penalties for violations of this Act; providing that a sentence shall only be imposed under this Act if there has been a certain increase in a certain offense under this Act; providing a method to track offense statistics for the purposes of imposing a penalty under this Act; requiring a penalty imposed under this Act to be in addition to any sentence imposed for a certain violation; prohibiting a court from suspending any part of the mandatory minimum sentence provided in this Act; providing that a person is not eligible for parole during the mandatory minimum sentence imposed by this Act; defining certain terms; and generally relating to assault on a transit operator or school employee.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–201, 3–202, and 3–203
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 632 – Delegates Levi, DeBoy, and Walker

AN ACT concerning

Education – New Teachers – Classroom Management Training

FOR the purpose of requiring that new teachers receive classroom management training before teaching in the public schools; requiring the State Board of Education to adopt certain regulations; and generally relating to classroom management training for new teachers.

BY adding to
Article – Education
Section 6–121
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 633 – Delegates Levi, Barkley, Glenn, Howard, and V. Turner

AN ACT concerning

Labor and Employment – Employee Leave – Parent–Teacher Conferences

FOR the purpose of authorizing employees of certain employers that provide leave with pay to use leave with pay to attend certain parent–teacher conferences; providing that an employee who uses leave with pay 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 or may elect to use leave without pay; authorizing employees of certain employers that do not provide leave with pay to use leave without pay to attend certain parent–teacher conferences; limiting the cumulative amount of leave that can be used each calendar year under this Act; providing that leave granted under this Act may be used only for certain parent–teacher conferences; requiring an employee who uses leave under this Act to comply with the terms of a collective bargaining agreement or employment policy with a certain exception; prohibiting an employer from taking certain actions against an employee who exercises certain rights, files a complaint or testifies against the employer, or assists in a certain action; defining certain terms; and generally relating to the use of leave by employees to attend parent–teacher conferences.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–802(a)(4)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 3–803
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 634 – Delegates Levi and Vallario

AN ACT concerning

Orphans' Court – Minors – Guardianship of Person

FOR the purpose of providing that an orphans' court may exercise jurisdiction over the guardianship of the person of a minor regardless of whether the minor has property, may inherit property, or is destitute under certain circumstances; providing that an orphans' court may transfer a certain matter to a circuit court under certain circumstances; providing that an orphans' court may waive certain costs; providing for the application of this Act; and generally relating to the jurisdiction of an orphans' court concerning the guardianship of the person of a minor.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–105
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 635 – Delegates Levi, Anderson, Barnes, Burns, Carr, Carter, Conaway, Dumais, Gutierrez, Healey, Reznik, Riley, Robinson, Ross, Schuler, F. Turner, and Valderrama

AN ACT concerning

Criminal Procedure – Occupational Licenses or Certificates – Issuance of a Certificate of Employability

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 employability 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, boards, and commissions 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 employability; providing that this Act does not apply to certain licenses; authorizing a circuit court, the District Court, or the Maryland Parole Commission, on the request of a certain offender, to issue a certain certificate to an offender convicted of a nonviolent offense; authorizing a court to issue a certain certificate or to order the Division of Parole and Probation to conduct an investigation and recommend whether the court 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 or if the eligible offender was released without conditions or has satisfied certain conditions of release; authorizing the Commission, under certain circumstances, to issue a certain certificate of employability 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 or the Commission to consider in issuing a certain certificate; authorizing a court or the Commission to limit the scope of a certain certificate; authorizing a court to issue a new certificate expanding the scope of a certain certificate; authorizing a court 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 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 providing certain notice and 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, boards, and commissions 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, board, or commission from denying an occupational license or certificate to a certain applicant who has a certain certificate of employability, with certain exceptions; authorizing a department, board, or commission to deny an occupational license or certificate to an applicant with a certain certificate under certain circumstances; requiring a department, board, or commission to consider certain factors in making a certain determination; requiring a department, board, or commission to follow certain procedures to give an applicant notice and an opportunity to be heard before the department, board, or commission denies a certain applicant an occupational license or certificate under certain circumstances; defining certain terms; and generally relating to occupational licenses or certificates and the issuance of a certificate of employability.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–112(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–301 through 6–307 to be under the new subtitle "Subtitle 3. Certificate of Employability"
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 636 – Delegates Levi, Anderson, Barnes, Braveboy, Burns, Conaway, Dumais, Gutierrez, Haynes, Healey, Nathan–Pulliam, Oaks, Ramirez, Reznik, Riley, Robinson, Schuler, F. Turner, and Valderrama

AN ACT concerning

Police and Court Records – Nonviolent Crimes – Expungement

FOR the purpose of authorizing a person convicted of a nonviolent crime, with certain exceptions, who completed the sentence imposed for the conviction, including probation, to petition for the expungement of certain records maintained by the State or a political subdivision of the State pertaining to the conviction; providing that a person convicted of a certain nonviolent crime of a sexual nature is not entitled to an expungement under certain circumstances; prohibiting the petition from being filed until after a certain time period; requiring the petition to include certain documentation of work history; providing that a person is not entitled to an expungement under certain circumstances; and generally relating to the expungement of police records, court records, and other records maintained by the State or a political subdivision of the State.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105(a) and (e)(4)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 10–105(c)(8)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 637 – Delegates Levi, Anderson, Barnes, Braveboy, Burns, Carr, Carter, Conaway, Dumais, Gutierrez, Healey, Kramer, Morhaim, Nathan–Pulliam, Reznik, Riley, Robinson, and F. Turner

AN ACT concerning

Task Force on Prisoner Reentry

FOR the purpose of establishing a Task Force on Prisoner Reentry; providing for 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; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to study certain issues; requiring the Task Force to report its interim findings to the Governor and the General Assembly on or before a certain date; requiring the Task Force to report its final 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 Task Force on Prisoner Reentry.

BY adding to
Article – Correctional Services
Section 2–501
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 638 – Delegates Waldstreicher and Vallario

AN ACT concerning

Violent Crimes – Conditional Release Under Mandatory Supervision – Limitation

FOR the purpose of establishing that an inmate convicted of a certain violent crime committed on or after a certain date is not eligible for a certain conditional release until after the inmate becomes eligible for parole; requiring a court, when a sentence of confinement is imposed for a certain violent crime, to state in open court the minimum time a certain defendant must serve before becoming eligible for a certain conditional release under mandatory supervision; and generally relating to imposing sentences.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 7–301(c) and (d)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–501
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–217
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 639 – Harford County Delegation

AN ACT concerning

Harford County – Board of Education – Selection of Members

FOR the purpose of requiring that certain members of the Harford County Board of Education be elected; requiring that certain members of the county board be appointed within a certain period of time; establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; establishing a procedure for the election and appointment of 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 certain members of the county board; providing for the election of the president and vice president of the county board; providing for the termination of the terms of certain appointed members of the county board; requiring the Governor to ensure a certain makeup 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
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and 3–114
Annotated Code of Maryland
(2008 Replacement Volume)

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)

SECOND PRINTING

AN ACT concerning

Uniform Commercial Code – Financing Statements – Termination by Government Employees

FOR the purpose of authorizing certain government employees to file certain termination statements with respect to certain financing statements; providing for the contents of the termination statement; ~~requiring a certain government employee to send a copy of the termination statement to a certain secured party within a certain time after filing the termination statement~~ requiring a certain filing office to send a copy of the termination statement to a certain secured party along with a certain notice; providing that on the filing of the termination statement, a certain financing statement ceases to be effective as to the government employee; authorizing the secured party to file an action to reinstate a financing statement under certain circumstances; requiring the secured party to provide a certain certified copy of certain judgment to a certain filing office under certain circumstances; requiring the filing office to file the judgment in a certain manner; providing that on the filing of a certain judgment, a certain financing statement shall be effective and shall be considered never to have been ineffective as against a certain person; authorizing the secured party to file a continuation statement under certain circumstances; providing that a fee may not be charged for the filing of the termination statement; providing that the secured party shall pay the costs, reasonable attorney's fees, and expenses incurred by a government employee in a certain action under certain circumstances; making certain conforming and stylistic changes; defining a certain term; and generally relating to the termination of financing statements by government employees.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 9–513 and 9–515(d)
Annotated Code of Maryland
(2002 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 71 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Maryland Health Care Commission – Certificate of Need Requirements

FOR the purpose of altering certain certificate of need requirements relating to the closure or partial closure of a hospital so as to include certain other health care facilities; authorizing the Maryland Health Care Commission to require a health care facility to hold a certain hearing in a certain location under certain circumstances; specifying when the hearing must be held; and generally relating to certificate of need requirements and the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 49)

ADJOURNMENT

At 11:17 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 9, 2009.

Annapolis, Maryland
Monday, February 9, 2009

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay Walker of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 50)

The Journal of February 6, 2009 was read and approved.

EXCUSES:
Del. Hubbard – illness
Del. Simmons – illness
Del. F. Turner – illness

INTRODUCTION OF BILLS

House Bill 640 – Delegates Pena–Melnyk, Barnes, Ali, Anderson, Aumann, Bates, Benson, Bobo, Boteler, Braveboy, Bronrott, Burns, Cardin, Carter, Conaway, Dumais, Feldman, Griffith, Harrison, Healey, Hecht, Holmes, Howard, Hubbard, Hucker, Jameson, King, Kullen, Levi, McDonough, Montgomery, Norman, Oaks, Olszewski, Proctor, Ramirez, Rice, Robinson, Ross, Schuh, Shewell, Smigiel, Sophocleus, Stukes, F. Turner, V. Turner, Valderrama, Waldstreicher, Walker, and Walkup

AN ACT concerning

Real Property – Residential Real Property in Foreclosure – Notice to Local Governments

FOR the purpose of requiring a certain person authorized to make a sale of residential real property to notify the county or municipal corporation where the property is located within a certain period of time after filing an action to foreclose a mortgage or deed of trust on the property subject to the mortgage or deed of trust; providing certain information that must be provided to the county or municipal corporation in the notification; and generally relating to notice to local governments of residential real property in foreclosure.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–126
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 641 – Delegates Pena–Melnyk and Oaks

AN ACT concerning

Minority Business Enterprise Program – Participation by Race or Gender

FOR the purpose of authorizing a woman–owned business to participate in certain procurement contracts as either a woman–owned business or a business owned by a member of an ethnic or racial minority group for certain purposes within the Minority Business Enterprise Program; altering a provision relating to the Department of Transportation and the application of certain requirements to certain of its procurement contracts; altering a certain definition; and generally relating to participation in the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(e) and (m)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–301(i) and 14–302(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 642 – Washington County Delegation

AN ACT concerning

Washington County – Clerk of the Circuit Court – Fees

FOR the purpose of establishing the amount of money that the Clerk of the Circuit Court for Washington County is entitled to receive from the collection of the tax

applicable to certain instruments recorded with the Clerk; and generally relating to the Clerk of the Circuit Court for Washington County.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–213(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–213(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 643 – Delegate Feldman

AN ACT concerning

Credit Regulation – Mortgage Brokers – Finder's Fee

FOR the purpose of clarifying that certain limitations on a mortgage broker's ability to charge and collect a finder's fee when obtaining more than one loan secured by the same property within a certain time period applies only if the second loan is obtained for a certain borrower and is for certain purposes or is a certain covered loan; defining a certain term; and generally relating to mortgage brokers' finder's fees.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–804
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 644 – Delegates Manno, Davis, Braveboy, McHale, Ali, Barnes, Benson, Burns, Feldman, Frush, Gaines, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Holmes, Howard, Hubbard, Hucker, Ivey, Kirk, Levi, Levy, Mizeur, Niemann, Pena–Melnyk, Proctor, Ramirez, Rice, Ross, Schuler, Taylor, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Procurement – Apprenticeship Training Programs

FOR the purpose of establishing a State Apprenticeship Training Fund in the Department of Labor, Licensing, and Regulation; requiring certain payments and certain penalties to be deposited in the Fund; providing for the administration of the Fund; requiring the Secretary of Labor, Licensing, and Regulation to use money in the Fund for a certain purpose; requiring certain contractors and subcontractors to provide certain written verification to a certain unit in accordance with certain requirements under certain circumstances; requiring certain contractors and subcontractors to make certain payments in a certain manner under certain circumstances; requiring a contractor to report certain payments on certain records; authorizing a contractor or subcontractor to make a certain request; requiring the Secretary to make a good–faith effort to accommodate a certain request; establishing certain penalties for certain violations; requiring the Secretary to adopt certain regulations; authorizing the Secretary to file a lawsuit under certain circumstances; requiring a court to require a contractor or subcontractor to pay certain penalties and costs under certain circumstances; defining certain terms; and generally relating to apprenticeship training programs.

BY adding to
Article – State Finance and Procurement
Section 17–601 through 17–606 to be under the new subtitle "Subtitle 6. Apprenticeship Requirements for Public Works Contracts"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 645 – Delegate Feldman

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse – Net Estate

FOR the purpose of clarifying that a net estate for purposes of determining the statutory elective share of the surviving spouse in a probate proceeding includes the value of property held in a revocable trust of which the decedent is the grantor, with certain reductions, and does not include the value of property owned by the decedent that is designated to pass to a specified beneficiary on the decedent's death; establishing that the surviving spouse's elective share of the net estate shall be limited to an amount that prevents the surviving spouse from receiving more than a one–third or one–half share, whichever is applicable, of the decedent's taxable estate for State estate tax purposes; providing for the application of this Act; and generally relating to elective shares of a net estate by surviving spouses.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 3–203
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 646 – Delegate Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Dayspring Square

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 Dayspring Programs, 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 Appropriations.

House Bill 647 – Delegate Harrison

AN ACT concerning

Insurance Producers – Limited Lines License – Sale of Insurance Products by Licensed Morticians or Licensed Funeral Directors

FOR the purpose of authorizing the Maryland Insurance Commissioner to issue a limited lines license to a licensed mortician or licensed funeral director to sell life insurance or an annuity product to fund a certain pre–need contract or the payment of certain benefits; and generally relating to limited lines licenses for insurance producers.

BY adding to
Article – Insurance
Section 10–125.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 648 – Delegate Harrison

AN ACT concerning

Commercial Insurance and Workers' Compensation Insurance – Renewals of Policies – Transfers of Policyholders Between Insurers

FOR the purpose of providing that, with respect to commercial insurance policies and workers' compensation insurance policies, the transfer of a policyholder between certain insurers within a certain insurance holding company system is a renewal under certain circumstances; providing that, with respect to commercial insurance and workers' compensation insurance, the issuance by an insurer of a new policy to replace an expiring policy issued by that insurer is a renewal; providing that, with respect to commercial insurance and workers' compensation insurance, the issuance by an insurer of a new policy to replace an expiring policy issued by a certain insurer within a certain insurance holding company system is a renewal under certain circumstances; requiring, for policies of commercial insurance and policies of workers' compensation insurance, that certain notice of the transfer of a policyholder between certain insurers be provided under certain circumstances; providing for the application of this Act; and generally relating to transfers of policyholders between insurers and renewals of policies of commercial insurance and workers' compensation insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(q) and 27–601.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 27–608.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 649 – Delegates Carr, Feldman, Krebs, Myers, Taylor, Waldstreicher, and Walkup

AN ACT concerning

Labor and Employment – Independent Contractor – Definition

FOR the purpose of defining "independent contractor"; and generally relating to the definition of independent contractor.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 1–101
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 650 – Delegates Olszewski, Beidle, DeBoy, Howard, Kach, Minnick, and Riley

AN ACT concerning

Vehicle Laws – Motor Scooters – Licensing, Titling, Registration, and Insurance

FOR the purpose of requiring a motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an operator of a motor scooter in the State to be licensed and insured; requiring an application for the registration of motor scooters to be submitted electronically; requiring a licensed dealer of motor scooters under certain circumstances to obtain a motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of motor scooters; establishing an annual registration fee for motor scooters; repealing the authority of a person to operate a motor scooter under a moped operator's permit; providing that certain vehicle equipment and inspection requirements do not apply to motor scooters; altering certain definitions; and generally relating to titling, registration, licensing, and insurance requirements for motor scooters and operators of motor scooters.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.5, 13–101.1, 13–402(a)(1), 16–101(a), 17–103(a)(1), 21–1202, 21–1205, 21–1205.1(a) through (c), 21–1207, 23–101(a), 23–104, 23–107(a)(1), 23–202(a)(1), and 23–206(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation

Section 11–135, 11–176, 13–403, 13–954, 16–104.2(d), 22–101(e)(1), 23–101(i)(3), and 23–206.2(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 13–939.3 and 23–206.2(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 651 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment – Shift Breaks

FOR the purpose of requiring an employer to provide a certain nonworking or working shift break to an employee under certain circumstances; requiring that a certain shift break count towards an employee's work hours for a certain day; providing that during a certain shift break an employee shall hold the employer harmless against any and all claims and indemnify the employer under certain circumstances; requiring an employer to pay a certain amount to an employee under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; authorizing a court to award certain attorney's fees and costs under certain circumstances; providing a certain exception; defining a certain term; and generally relating to shift breaks for employees.

BY adding to
Article – Labor and Employment
Section 3–710
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 652 – Chair, Economic Matters Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Gasohol and Gasoline Products Marketing Act – Exclusion of Independent Jobbers – Repeal

FOR the purpose of repealing the exclusion of certain independent jobbers, who purchase gasohol or gasoline products from a wholesaler for resale to a dealer, from the Maryland Gasohol and Gasoline Products Marketing Act.

BY repealing
Article – Commercial Law
Section 11–301(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–301(i) through (k) and 11–304(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 653 – Chair, Economic Matters Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Fire Safety Performance Standard for Cigarettes – Sale or Distribution for Consumer Testing Under Controlled Settings

FOR the purpose of providing that cigarettes sold or distributed for the purpose of consumer testing in a controlled setting are not subject to certain certification requirements as to having met a certain fire safety performance standard; providing that cigarette manufacturers may submit to the Comptroller, as confidential under seal, certain information about cigarettes that are required to be certified as having met a certain fire safety performance standard; providing that certain information submitted to the Comptroller under this Act as confidential under seal is not subject to certain disclosures and may be used for certain purposes; defining certain terms; providing for the termination of this Act; and generally relating to consumer testing of cigarettes for fire safety performance purposes.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–601 and 16–602(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Regulation

Section 16–602.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 654 – Delegate Hubbard

AN ACT concerning

Health Occupations – License to Practice Psychology – Doctoral Degree in Psychology

FOR the purpose of clarifying certain qualifications of applicants for a license to practice psychology; altering the definition of a certain term; and generally relating to the definition of "doctoral degree in psychology" and applicants for a license to practice psychology in the State.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 18–101(c) and 18–302
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 655 – Delegates Sossi, Ali, Aumann, Beidle, Bobo, Cane, Carr, V. Clagett, Dwyer, Eckardt, Elliott, Frank, Frush, George, Glenn, Haddaway, Healey, Holmes, Hucker, Kipke, Lafferty, Malone, McComas, McIntosh, Minnick, Norman, O'Donnell, Serafini, Shewell, Smigiel, Stein, Stull, Walkup, Weir, and Wood

AN ACT concerning

Natural Resources – Expanded Use of Waterway Improvement Fund

FOR the purpose of authorizing grants from the Waterway Improvement Fund to be used for the purchase and installation of best management practices for implementation at public or private marine facilities for the designation or renewal of a marina as a Maryland Clean Marina or Clean Marina partner; prohibiting the amount of grants for the purchase and installation of best management practices from exceeding a certain percentage of the purchase and installation cost; restricting certain grants to facilities actively engaged in the process of a certain certification or recertification; requiring the Secretary of Natural Resources to determine the eligibility of a proposed best management practice for grant funding; establishing that the ownership, operation, and

maintenance of any equipment acquired with certain grant funds shall be the sole responsibility of the marine facility; requiring projects for the purchase and installation of Maryland Clean Marina best management practices to be financed solely by the Waterway Improvement Fund; prohibiting certain grants to certain marine facilities from the Waterway Improvement Fund from exceeding certain amounts; providing for the disbursement of certain grant awards from the Waterway Improvement Fund; requiring reimbursement of certain grant awards from the Waterway Improvement Fund on the occurrence of certain conditions; increasing the amount of funds the Department of Natural Resources may spend from the Waterway Improvement Fund in a fiscal year; limiting the amount of funds from the Waterway Improvement Fund that may be used for certain projects; making stylistic changes; and generally relating to uses of the Waterway Improvement Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–707, 8–708, and 8–709
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 656 – Delegates Boteler, Aumann, Eckardt, Elmore, Frank, George, Glenn, Jennings, Love, Myers, Norman, Olszewski, Schuler, Shewell, Smigiel, Stein, Stull, Walkup, and Weir

AN ACT concerning

State Highway Administration – Emergency Snow Removal – Use of Farm Trucks

FOR the purpose of authorizing the State Highway Administration to request the use of certain farm trucks to assist in snow removal under certain circumstances; authorizing the owner of a farm truck to refuse to allow the Administration to use the farm truck; requiring the Administration to compensate the owner of a farm truck that is used by the Administration for snow removal; authorizing the Administration to adopt certain regulations; defining a certain term; and generally relating to the use of farm trucks by the State Highway Administration for snow removal.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–602
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–921
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 657 – Delegate Manno

AN ACT concerning

Maryland Antitrust Act – Establishment of Minimum Sale Price for Commodities or Services – Prohibited

FOR the purpose of providing that a contract, combination, or conspiracy that establishes a minimum price below which a retailer, wholesaler, or distributor may not sell a commodity or service is an unreasonable restraint of trade or commerce for purposes of a certain provision of the Maryland Antitrust Act; and generally relating to the Maryland Antitrust Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–204
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 658 – Delegates Gilchrist, Simmons, and Barve

AN ACT concerning

Creation of a State Debt – Montgomery County – Rockville Historic Post Office Renovation

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 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 Appropriations.

House Bill 659 – Delegates Gutierrez, Ali, Barnes, Carr, Carter, Hucker, Ivey, Lee, Manno, Pena–Melnyk, Ramirez, Reznik, V. Turner, Valderrama, and Vallario

AN ACT concerning

Vehicle Laws – Federally Compliant Identification Cards – Issuance

FOR the purpose of requiring the Motor Vehicle Administration to issue a federally compliant identification card to any individual who meets certain requirements; requiring the Administration, in determining what documentation is acceptable to show a certain proof of U.S. citizenship or lawful presence in the United States, to comply with the requirements of the federal REAL ID Act of 2005 and certain amendments and regulations; requiring the Administration to ensure that a federally compliant identification card issued under this Act is acceptable for certain federal purposes; authorizing the Administration to establish a certain fee; requiring a certain fee to be calculated to recover certain costs; providing that a certain fee be retained by the Administration to recover certain costs and not credited to a certain account; prohibiting a person from committing fraud or misrepresentation in applying for or using a federally compliant identification card; providing that the federally compliant identification card is to be tamperproof, to the extent possible, and of the size and design that the Administration requires; establishing the contents of a federally compliant identification card; providing for the expiration and renewal of a federally compliant identification card; establishing that a federally compliant identification card does not replace a driver's license or alter certain identification card or driver's license requirements; providing that a person may have both a federally compliant identification card and a driver's license; establishing that a person may not be required to apply for a federally compliant identification card; authorizing the Administration to cancel a federally compliant identification card under certain circumstances; requiring the holder of a federally compliant identification card to surrender the card under certain circumstances; providing for the construction of this Act; and generally relating to the issuance of federally compliant identification cards by the Motor Vehicle Administration.

BY adding to
Article – Transportation
Section 12–302
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 660 – Delegates Kaiser, Anderson, Gilchrist, Ivey, Rice, F. Turner, and Valderrama

AN ACT concerning

Education – Suspension and Expulsion Procedures – Attendance–Related Offenses

FOR the purpose of prohibiting a principal from suspending or expelling a student from school solely for attendance–related offenses; and generally relating to school suspension and expulsion procedures.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–305
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 661 – Delegates Ali and Bobo

AN ACT concerning

Special Session Campaign Finance Reform Act

FOR the purpose of prohibiting certain elected officials from engaging in certain campaign fund–raising activities during a special session of the General Assembly; requiring a certain campaign finance entity to file a campaign finance report on a certain date, under certain circumstances, in the event of a special session of the General Assembly; and generally relating to a prohibition on and reporting of certain campaign financing activities during a special session of the General Assembly.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–235(a), 13–304(a)(1), and 13–312
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–235(b)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–309
Annotated Code of Maryland

(2003 Volume and 2008 Supplement)
(As enacted by Chapters 40 and 510 of the Acts of the General Assembly of 2006, Chapters 219 and 449 of the Acts of the General Assembly of 2007, and Chapter 543 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Ways and Means.

House Bill 662 – Delegate Vaughn

EMERGENCY BILL

AN ACT concerning

Business Regulation – Home Builder Guaranty Fund – Fee

FOR the purpose of requiring certain home builders to pay the Home Builder Guaranty Fund fee to a municipal corporation; requiring certain home builders to pay the fee for residential units in multiple–unit developments to a county or municipal corporation; requiring a municipal corporation to remit a certain fee to the Consumer Protection Division of the Office of the Attorney General; authorizing a county or municipal corporation to retain a certain amount of certain fee revenues to recover certain administrative costs; making this Act an emergency measure; and generally relating to the Home Builder Guaranty Fund fee.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 4.5–101(d), 4.5–601(a), and 4.5–703(a) and (b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4.5–704
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 663 – Delegates Boteler, Aumann, Bartlett, Bromwell, Dwyer, Eckardt, Frank, Impallaria, Jennings, Myers, Norman, Schuler, Smigiel, Sossi, Stull, and Weir

AN ACT concerning

Baltimore County – Deer Hunting on Private Property – Sundays

FOR the purpose of removing certain restrictions on a person's ability to hunt deer on certain Sundays on private property in Baltimore County under certain circumstances; and generally relating to hunting on Sundays in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 664 – Delegates Boteler, Ali, Aumann, Eckardt, Elmore, Frank, George, Glenn, Haddaway, Howard, McComas, Myers, Olszewski, Robinson, Schuler, Shewell, Smigiel, Stein, Stocksdale, Stull, Walkup, and Weir

AN ACT concerning

Public Health – Food Containing a Product of Cloned Animals – Labeling

FOR the purpose of requiring persons that manufacture, process, or prepare certain foods that contain any product of a cloned animal or the progeny of a cloned animal to make a certain statement on the label or packaging of certain foods or a sign near foods that are not packaged; requiring the lettering of a certain statement on a certain label, package, or sign to be a certain size or be conspicuous and easily legible to consumers; requiring certain persons that sell or offer for sale certain foods to maintain certain records that include certain information for a certain period of time and make certain records available to the Department of Health and Mental Hygiene for inspection on request of the Department; defining certain terms; and generally relating to labeling foods that contain a product of a cloned animal.

BY adding to
Article – Health – General
Section 21–214
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 665 – Delegates Hixson, Bobo, Boteler, Cardin, Frick, George, Ivey, Myers, Olszewski, and F. Turner

AN ACT concerning

Election Law – Audit of Election Results – Transparency in Election Administration

FOR the purpose of requiring the State Board of Elections to adopt regulations that provide for convenient and timely public access to certain information concerning the administration of elections; requiring that certain information concerning a meeting of the State Board or a local board of elections be posted on the website of the State Board or local board by a certain date before the meeting and a certain date after the meeting; requiring that the public be allowed to speak, hear the proceedings, and obtain certain documents at each meeting of the State Board and the local boards; authorizing a poll monitoring organization to designate a registered voter as a challenger or watcher; providing that a certificate signed by a certain group is sufficient evidence of the right of a challenger or watcher to be present in the voting room; repealing certain provisions of law relating to nonaccredited challengers and watchers; requiring that a nonaccredited challenger or watcher have all the rights of an accredited challenger or watcher and be subject to the same restrictions as an accredited challenger or watcher; requiring that a board of canvassers verify the vote count in certain statewide contests and contests for Representative in Congress by means of a certain audit before certifying the results of an election; requiring that an audit include a comparison of a manual count of votes with the machine count; requiring that the manual count be considered the official and accurate record of the votes cast in a contest; requiring that precincts be selected to be manually counted by means of random draws; requiring that random draws be conducted in a certain manner; requiring that the selection of precincts to be manually counted may not commence before the machine count is complete and election results are posted on the State Board's website, except under certain circumstances; requiring that additional precincts be added to the manual count under certain circumstances if the selection of precincts to be manually counted commences before the machine count is complete; requiring that additional precincts be manually counted in a certain manner if the vote totals produced by an initial manual count vary by a certain amount from the machine count; authorizing a certain candidate to request that a certain number of precincts be manually counted in addition to those otherwise required to be manually counted under this Act; requiring a candidate to pay the costs of a manual count requested by the candidate, except under certain circumstances; providing that a candidate who requests a manual count retains the right to petition for a recount and seek certain judicial relief in a contested election; requiring the State Board to develop written procedures to govern audits under this Act; requiring the procedures to address certain matters; requiring the State Board to post the procedures on its website, solicit public comments, and revise the procedures as necessary; requiring the State Board to allow the public to witness, verify, and comment on all aspects of the audit process; requiring the State Board to provide certain notice of each activity related to an audit at least a certain number of days in advance; requiring that precinct level vote totals produced by the machine count and the final results of

an audit be posted on the websites of the State Board and local boards at certain times; requiring final audit results to include certain information; requiring the State Board to post a report on its website relating to voting system and election process deficiencies identified during an audit by a certain date; requiring that all documents, reports, and results of an audit be available to the public and may be used as evidence in an election contest; defining certain terms; and generally relating to audits of election results and transparency and accuracy in election administration.

BY adding to
Article – Election Law
Section 2–108 and 11–309
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–311 and 11–308
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 666 – Delegate Braveboy

AN ACT concerning

Condominiums and Homeowners Associations – Reserves and Reserve Studies

FOR the purpose of requiring the governing body or the council of unit owners of certain condominiums to have a reserve study conducted of the common elements of the condominium by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common elements of a condominium to meet certain criteria; requiring the governing body of certain homeowners associations or certain homeowners associations to have a reserve study conducted of the common areas of the homeowners association by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common areas of a homeowners association to meet certain criteria; requiring the annual budget of a certain homeowners association development to provide for reserves under certain circumstances; defining certain terms; and generally relating to the reserves and reserve studies of condominiums and homeowners associations.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–109.2 and 11–110(b)(1)

Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 11–109.4 and 11B–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 667 – Delegate Braveboy

AN ACT concerning

Condominiums and Homeowners Associations – Transition of Control

FOR the purpose of requiring a meeting of the council of unit owners of a condominium to elect a board of directors to be held within a certain time; terminating the term of members of a board of directors appointed by a developer under certain circumstances; requiring a developer to deliver certain documents, funds, and property to the officers or board of directors for the council of unit owners on transfer of control under certain circumstances; authorizing the board of directors to terminate without liability certain contracts under certain circumstances; authorizing an aggrieved unit owner to submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General under certain circumstances; requiring a developer to make certain books and records available to a unit owner within a certain time under certain circumstances; requiring a meeting of the members of a homeowners association to elect a governing body to be held within a certain time; terminating the term of members of the governing body appointed by a declarant under certain circumstances; requiring a declarant to deliver certain documents, funds, and property to the governing body on transfer of control under certain circumstances; authorizing the members of a governing body to terminate without liability certain contracts under certain circumstances; authorizing an aggrieved lot owner to submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General under certain circumstances; requiring a declarant to make certain books and records available to a lot owner within a certain time under certain circumstances; defining certain terms; 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, and 11B–112(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing
Article – Real Property
Section 11–132
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 11–132 and 11B–106.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 668 – Delegates Vaughn, Benson, and Howard

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Prince George's County – Capitol Heights Municipal Building

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 – Prince George's County – Capitol Heights Municipal Building Loan to alter the requirement that the Mayor and Town Council of the Town of Capitol Heights provide a certain type of matching fund.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item (ZA02)(BF)

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

House Bill 669 – Delegates Bates, Boteler, Dwyer, Eckardt, George, Holmes, Kipke, McComas, McDonough, Miller, Myers, Shewell, Sophocleus, Sossi, and Wood

AN ACT concerning

Maryland Economic Stimulus Act – Expensing of Business Property and Bonus Depreciation

FOR the purpose of limiting the applicability of certain Maryland income tax modifications for certain deductions for the cost of certain property treated as an expense for federal income tax purposes; limiting the applicability of certain Maryland income tax modifications for a certain additional depreciation allowance under the federal income tax for certain property; providing for the

application of this Act; and generally relating to certain Maryland income tax modifications with respect to the federal income tax treatment of certain property.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–210.1(b)(1) and (3)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–310
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 670 – Delegate Frick

AN ACT concerning

Sales and Use and Property Tax – Exemptions – Solar Energy Equipment and Property

FOR the purpose of altering the definition of "solar energy equipment" for purposes of an exemption under the sales and use tax for certain geothermal equipment and solar energy equipment; altering the definition of "solar energy property" for purposes of a property tax exemption for certain solar energy equipment; and generally relating to certain tax exemptions for certain solar energy equipment.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 671 – Delegates Hixson, Frick, Gilchrist, Gutierrez, Reznik, Rice, Simmons, and F. Turner

AN ACT concerning

Election Law – Polling Places – Electioneering Boundary

FOR the purpose of altering the location of the line beyond which electioneering is prohibited outside a polling place; and generally relating to electioneering at a polling place.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 16–206
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 672 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Women's Industrial Exchange

FOR the purpose of authorizing the creation of a State Debt in the amount of $175,000, the proceeds to be used as a grant to the Board of Directors of the Women's Industrial Exchange of Baltimore City, 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 Appropriations.

House Bill 673 – Delegates Kullen, Ali, Benson, Bohanan, Costa, Donoghue, Kipke, McDonough, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Tarrant, and Weldon

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, computed tomography scan services, and radiation therapy 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 magnetic resonance imaging services, computed tomography scan services, and radiation therapy services.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–301, 1–302, and 1–303
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 1–601 to be under the new subtitle "Subtitle 6. Accreditation of Business Entities that Furnish Magnetic Resonance Imaging Services, Computed Tomography Scan Services, and Radiation Therapy Services"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 674 – Delegate Morhaim

AN ACT concerning

Health Insurance – Small Group Market Regulation – Modifications

FOR the purpose of repealing the termination provision of certain provisions of law relating to the rating of certain health benefit plans; requiring the Maryland Health Care Commission to maintain a certain application on its website; requiring the Commission to update certain information at least quarterly; applying certain provisions of law relating to preexisting conditions to certain policies or certificates issued to small employers; authorizing certain carriers to offer certain health benefit plans that have greater benefits than those in the Comprehensive Standard Health Benefit Plan under certain circumstances; authorizing a carrier to offer benefits that differ from those in the Standard Plan under certain circumstances; repealing a requirement that the Commission require that the minimum benefits allowed to be offered in the Standard Plan meet a certain level; repealing certain provisions of law authorizing certain health benefit plans to require certain deductibles and cost–sharing for benefits for preexisting conditions; providing that certain benefits that vary from the Standard Plan and are approved by the Maryland Insurance Commissioner are subject to certain provisions of law applicable to

the Standard Plan; authorizing the Commissioner to prohibit a carrier from offering benefits that vary from the Standard Plan under certain circumstances; altering the geographic areas for which a carrier may adjust the community rate for certain health benefit plans; altering certain limits on the rate a carrier may charge based on adjustments to the community rate for certain health benefit plans due to certain factors; altering the due date of a certain report; authorizing a carrier to adjust the community rate for certain health benefit plans for health status at certain rates under certain circumstances; authorizing a carrier to use certain health statements and health screenings to establish certain premium rates; prohibiting a carrier from limiting coverage or refusing to issue a health benefit plan to a certain small employer based on a health status–related factor; establishing that it is an unfair trade practice for a carrier knowingly to provide coverage to a small employer that discriminates against certain individuals under certain circumstances; making certain conforming changes; requiring the Commission to conduct a certain study and report on its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; providing for the application of certain provisions of this Act; and generally relating to health benefit plans offered in the small group market.

BY repealing and reenacting, with amendments,
Chapter 600 of the Acts of the General Assembly of 2007
Section 2

BY adding to
Article – Health – General
Section 19–108.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–508, 15–1204(a) through (d), 15–1205, 15–1207, 15–1208, and 15–1213
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 675 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Allegany and Garrett Counties – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Allegany County or Garrett County to hunt for deer on private property with a bow and arrow on certain Sundays during certain months; and generally relating to deer hunting in Allegany and Garrett Counties.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 676 – Delegates Cane, Beitzel, Carr, Conway, Donoghue, Frush, Kelly, Mathias, Myers, Rudolph, Shewell, Stocksdale, Stull, Waldstreicher, and Wood

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Easements

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to enter into certain corrective easements to make certain adjustments, resolve certain violations, or accommodate certain plans; authorizing certain corrective easements to be accomplished in a certain manner; excluding certain corrective easements from certain requirements; authorizing the Foundation to adopt certain regulations; making technical corrections; and generally relating to easements under the Maryland Agricultural Land Preservation Program.

BY adding to
Article – Agriculture
Section 2–513(b)(8)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)(8)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 677 – Delegates Ali and Nathan–Pulliam

AN ACT concerning

Patient Referrals for Radiation Therapy Services

FOR the purpose of repealing radiation therapy services from the services not included in the definition of in–office ancillary services of health care professionals under the laws relating to patient referrals; providing that certain prohibitions on referrals do not apply to referrals for certain radiation therapy services; and generally relating to patient referrals for radiation therapy.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–301
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 1–302(a) and (d)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 678 – Delegate Malone

AN ACT concerning

Motor Vehicles – Television–Type Receiving Equipment – Operation

FOR the purpose of altering the areas in a motor vehicle where television–type receiving equipment may be located; prohibiting a person from driving a motor vehicle while operating television–type receiving equipment in certain areas of the vehicle; providing that certain restrictions on the operation of television–type receiving equipment while driving do not apply to the use of certain electronic display equipment; making certain stylistic changes; and generally relating to restrictions on television–type receiving equipment in motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–414
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 679 – Delegates Manno and Feldman

AN ACT concerning

State Real Estate Commission – Delegation of Authority to Conduct Contested Case Hearings

FOR the purpose of authorizing the State Real Estate Commission to delegate to a hearing officer the authority to conduct a contested case hearing and to issue certain findings of fact, conclusions of law, and orders; authorizing the Commission to enter into certain contracts; requiring the Commission to adopt certain regulations; exempting the Commission from certain provisions of law that authorize the delegation of authority to conduct contested case hearings to the Office of Administrative Hearings; and generally relating to contested case hearings and the State Real Estate Commission.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–324(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 17–326.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–203(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 680 – Delegates Schuh, King, Love, and Minnick

AN ACT concerning

Commercial Law – Maryland Cigarette Sales Below Cost Act – Cost to Retailer and Wholesaler

FOR the purpose of altering the definitions of "basic cost of cigarettes" and "cost to the retailer" for purposes of the Maryland Cigarette Sales Below Cost Act; repealing the definition of "cost to the wholesaler"; repealing certain special cost

provisions; altering the elements of certain prohibited acts; and generally relating to the Maryland Cigarette Sales Below Cost Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–501, 11–504, 11–505, and 11–506
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Commercial Law
Section 11–503
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY renumbering
Article – Commercial Law
Section 11–504 through 11–510, respectively
to be Section 11–503 through 11–509, respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 681 – Delegates Vaughn, Frush, Guzzone, Haddaway, Healey, Heller, Holmes, Impallaria, King, Love, Manno, Stifler, Taylor, and F. Turner

AN ACT concerning

Business Regulation – Distribution of Tobacco Products

FOR the purpose of requiring that certain cigarette business licensees display a certain sign regarding certain prohibitions and penalties in a certain manner; establishing certain restrictions on the sale of tobacco products through a certain self–service display; prohibiting the distribution of certain tobacco products except under certain circumstances; authorizing a court to require that a certain license be suspended or revoked if a certain licensee is convicted of a certain violation; prohibiting the suspension or revocation of a certain license if a certain licensee can establish a certain defense; requiring the Comptroller to create and maintain a record of certain information related to certain violations; prohibiting a minor from purchasing or attempting to purchase a tobacco product or cigarette rolling paper; defining certain terms; and generally relating to the sale or distribution of tobacco products.

BY repealing and reenacting, with amendments,
Article – Business Regulation

Section 16–209; 16–3A–01, and 16–3A–02 to be under the amended subtitle "Subtitle 3A. Tobacco Product Vending Machines and Self–Service Displays"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 16–3A–03
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 1–101(g) and 10–101(b) and (d)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–107 and 10–108
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 682 – Delegates Schuh, Bromwell, G. Clagett, Conway, Costa, DeBoy, Donoghue, Dwyer, George, James, Kelly, King, Kipke, Levy, Malone, McConkey, Minnick, Olszewski, Riley, Rudolph, Schuler, Vaughn, Weir, and Wood

AN ACT concerning

Public Safety – Handgun Permits – Federal Flight Deck Officers

FOR the purpose of requiring the Secretary of State Police to issue a permit to carry, wear, or transport a handgun within a reasonable time to an applicant who can provide documentation that the applicant has successfully completed the Federal Flight Deck Officer Program of the Transportation Security Administration of the United States Department of Homeland Security and has been authorized to use a firearm to defend against an act of criminal violence or air piracy committed by a person who is attempting to gain control of an aircraft; and generally relating to permits to carry, wear, or transport a handgun.

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 5–306
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 683 – Delegates Ivey, Carter, Conaway, and Ramirez

AN ACT concerning

Post Adoption Support Services Pilot Program

FOR the purpose of altering a certain purpose of the Post Adoption Support Services Pilot Program; expanding the eligibility of an adopted child or adoptive family for post adoption support services; repealing a requirement that a local department of social services conduct a clinical assessment of the needs of an adoptive child and adoptive family under certain circumstances; substituting a requirement that a local department conduct an assessment of the needs of an adoptive child and adoptive family under certain circumstances; altering the date on or before which the Secretary of Human Resources is required to submit a certain report to the General Assembly; extending the termination date of the Post Adoption Support Services Pilot Program; making certain technical changes; and generally relating to the Post Adoption Support Services Pilot Program.

BY repealing and reenacting, with amendments,
Chapter 444 of the Acts of the General Assembly of 2007
Section 1 and 2

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

House Bill 684 – Delegates Schuh, Aumann, Bartlett, Bates, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kach, King, Kipke, Krebs, McConkey, McDonough, Miller, Norman, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, Walkup, and Weldon

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 three–fifths 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 Ways and Means.

House Bill 685 – Delegate Kaiser (Joint Committee on Children, Youth, and Families) and Delegates Bates, Benson, Eckardt, Frush, Gilchrist, Gutierrez, Hubbard, Nathan–Pulliam, Oaks, and Stocksdale

AN ACT concerning

Family Law – Maryland Quality Ratings and Improvement System for Child Care Programs

FOR the purpose of requiring the State Department of Education to establish the Maryland Quality Ratings and Improvement System (QRIS); establishing certain requirements for the Maryland QRIS; clarifying the purpose of the Maryland QRIS; requiring the Department to use existing State and federal resources to fund the Maryland QRIS; authorizing the use of certain funds for certain purposes; requiring the Department to select an independent party to evaluate the validity and reliability of the Maryland QRIS; requiring the Department to provide certain information to the public on child care programs evaluated by the Maryland QRIS; requiring the Department to reduce unannounced visits to certain child care programs under certain circumstances; authorizing the Department to adopt regulations to implement this Act; requiring the Department to submit a certain report to the Governor and General Assembly each year; defining certain terms; and generally relating to the Maryland Quality Ratings and Improvement System for child care programs.

BY adding to
Article – Family Law
Section 5–585.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 686 – Calvert County Delegation

AN ACT concerning

Calvert County – Sheriff – Pension

FOR the purpose of providing that the Board of County Commissioners for Calvert County may make certain payments on or before a certain date equal to a certain amount to certain individuals serving as the Sheriff of Calvert County on or before a certain date who elected to participate in the Calvert County Employees' Savings Plan on or after a certain date; providing for the termination of this Act; and generally relating to pensions for sheriffs of Calvert County.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 687 – Delegate Braveboy

AN ACT concerning

Common Ownership Communities – Fidelity Insurance

FOR the purpose of requiring certain governing bodies of a cooperative housing corporation, a condominium, or a homeowners association to purchase fidelity insurance not later than a certain time and to keep the insurance in place each year; requiring the fidelity insurance to provide for the indemnification of certain governing bodies of a cooperative housing corporation, a condominium, or a homeowners association against loss resulting from certain acts or omissions of certain persons under certain circumstances; requiring a copy of the fidelity insurance policy of a cooperative housing corporation, a condominium, or a homeowners association to be kept and made available for inspection under certain circumstances; requiring the fidelity insurance of a cooperative housing corporation, a condominium, or a homeowners association to be in a certain amount; allowing an aggrieved member of a cooperative housing corporation, an aggrieved unit owner of a condominium, or an aggrieved lot owner of a homeowners association to submit a dispute regarding fidelity insurance to the Division of Consumer Protection of the Office of the Attorney General under certain circumstances; and generally relating to fidelity insurance and common ownership communities.

BY adding to
Article – Corporations and Associations
Section 5–6B–18.6
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 11–114.1 and 11B–111.6
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 688 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Harford County Liquor Control Board to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Harford County.

BY adding to
Article 2B – Alcoholic Beverages
Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"; and 11–513(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 689 – Delegates Rosenberg, Boteler, Bronrott, Doory, Elmore, Healey, Kramer, Levy, Mathias, McHale, and Montgomery

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – Disability of Parent, Guardian, Custodian, or Party

FOR the purpose of prohibiting a court, in making a disposition on a child in need of assistance (CINA) petition, from considering a disability of a parent, guardian, or custodian of a child except under certain circumstances; prohibiting a local department of social services, a guardian, or a child placement agency, in certain adoption proceedings, from withholding consent to an adoption solely because a prospective adoptive parent has a disability; prohibiting a court, in ruling on a certain adoption petition, from denying the petition solely because the petitioner has a disability; prohibiting a child from being committed to the custody or guardianship of a local department and placed in an out–of–home placement solely because the child's parent or guardian has a disability; 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 has a disability; prohibiting a court, in any custody or visitation proceeding, from considering a disability of a party, except under certain circumstances; defining a certain term; and generally relating to the disability of certain individuals in certain CINA, guardianship, adoption, custody, or visitation proceedings.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–801(a), (f), and (g) and 3–819.2(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–819(b) and 3–819.2(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–338(b), 5–350(b), 5–3A–35(b), 5–3B–19(b), and 5–525
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Family Law
Section 9–107
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 690 – Delegates Rosenberg, Cardin, Feldman, George, Hucker, Kipke, Lafferty, McConkey, Oaks, and Stein

AN ACT concerning

Human Relations – Discrimination in Housing – Reasonable Accommodations for Religious Practices

FOR the purpose of prohibiting certain persons from refusing to make certain reasonable accommodations for religious practices when the accommodations may be necessary to afford an individual certain use and enjoyment of a covered multifamily dwelling; providing that certain persons are not required to make certain accommodations for religious practices if the accommodations would pose a certain undue hardship; altering the application of a certain definition;

making technical corrections; and generally relating to discrimination in housing.

BY repealing
Article – State Government
Section 20–706(a)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY renumbering
Article – State Government
Section 20–701(b) through (i), 20–706(b) and (c), and 20–707 through 20–710, respectively
to be Section 20–701(c) through (j), 20–706(a) and (b), and 20–708 through 20–711, respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY adding to
Article – State Government
Section 20–701(b) and 20–707
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 691 – Delegates Murphy, Branch, Jameson, Kullen, Levy, and Proctor

AN ACT concerning

Maryland Native American Status – Standards for Recognition

FOR the purpose of altering the criteria that are required to be included in certain standards for recognition established by the Commission on Indian Affairs by regulation; providing for the construction of this Act; and generally relating to recognition of Maryland Indian status.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9.5–311
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 692 – Delegates Lafferty, Barkley, Hecht, Love, Niemann, and Pena–Melnyk

AN ACT concerning

Mobile Home Park Relocation Act

FOR the purpose of requiring mobile home park owners to submit a certain relocation plan as part of an application for a change in the land use of a mobile home park; requiring mobile home park owners to deliver a certain notice to mobile home park residents within a certain time after submitting an application for a change in land use; prohibiting a mobile home park owner from closing a park, or a portion of a park, unless the owner provides certain residents with certain notice and certain relocation assistance; providing that certain provisions of this Act do not prohibit a county or municipal corporation from enforcing certain laws that require a park owner to provide certain relocation assistance; providing that a failure to provide residents with certain notice of the park closure is a defense to an action for repossession; requiring a mobile home park owner to provide the relocation assistance within a certain number of days under certain circumstances; requiring a mobile home park owner to dispose of certain mobile homes, at the park owner's expense, under certain circumstances; prohibiting a mobile home park owner, under certain circumstances, from increasing certain residents' rent for a certain purpose or after a certain event; requiring mobile home park owners to post certain notices of the park closure; providing that a failure to post certain notices of the park closure is a defense to an action for repossession; requiring mobile home park owners to submit a certain relocation plan to the Division of Consumer Protection of the Office of the Attorney General and to certain housing agencies within a certain time after a certain event; providing that a failure to submit the relocation plan is a defense to an action for repossession; requiring mobile home park owners to include certain information in a relocation plan; providing that a park owner, under certain circumstances, may not incur liability for a failure to provide accurate information in a relocation plan; requiring certain notices to certain prospective park residents; providing that a park owner is not required to provide relocation assistance to certain prospective park residents who receive certain notice; providing that a failure to provide certain notices to certain prospective park residents is a defense to an action for repossession; defining a certain term; providing for the application of this Act; and generally relating to mobile home parks.

BY repealing and reenacting, with amendments,
Article – Real Property

Section 8A–1201 to be under the amended subtitle "Subtitle 12. Park Closure"
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 8A–1202 through 8A–1206
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8A–1802
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 693 – Delegates Lafferty, Aumann, and Frank

AN ACT concerning

University System of Maryland – Designated Growth Institutions – Community Impact Statement

FOR the purpose of requiring certain constituent institutions of the University System of Maryland designated for growth to submit a Community Impact Statement to the General Assembly under certain circumstances and at a certain time and to post the Community Impact Statement in a certain location; requiring the Community Impact Statement to include certain information; defining a certain term; and generally relating to Community Impact Statements submitted by designated growth institutions in the University System of Maryland.

BY adding to
Article – Education
Section 12–117
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 694 – Delegate Lafferty

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 695 – Delegate McDonough

AN ACT concerning

Jessica's Law Part II – Truth in Sentencing

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a child under a certain age; providing for the application of this Act; and generally relating to the earning of diminution credits by persons serving sentences for committing certain sexual crimes against children.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 696 – Delegate McDonough

AN ACT concerning

Constellation Energy Group Review Commission

FOR the purpose of establishing the Constellation Energy Group Review Commission; providing for the membership and duties of the Commission; providing for the designation of a chair of the Commission; requiring the Public Service Commission, the Office of the People's Counsel, and the Office of the Attorney General 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 the Constellation Energy Group Review Commission.

Read the first time and referred to the Committee on Economic Matters.

House Bill 697 – Delegate McDonough

AN ACT concerning

Health Insurance – Small Employer Health Benefit Plan Premium Subsidy Program – Local Funds

FOR the purpose of authorizing funding for the Small Employer Health Benefit Plan Premium Subsidy Program from certain local funds; authorizing a county to provide local funds to be used for subsidies of small employer health benefit plan premiums; establishing certain conditions for the use of the local funds; and generally relating to the use of local funds in the Small Employer Health Benefit Plan Premium Subsidy Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–12A–02 and 15–12A–03
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 698 – Delegates Stein, Bronrott, Cardin, and Hecht

AN ACT concerning

State–Owned Heavy Equipment and Heating Equipment – Biodiesel Fuel Requirement

FOR the purpose of increasing the percentage of biodiesel fuel that must be blended with certain fuels that are used by the State under certain circumstances; and generally relating to the use of biodiesel by the State.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–408(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 699 – Delegates Hecht, Aumann, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Howard, Lee, Mizeur, Stein, and Waldstreicher

AN ACT concerning

Wind Energy – Tax Incentives

FOR the purpose of exempting from the sales and use tax the sale of certain wind energy equipment; exempting from the State and local property tax certain wind energy property; defining certain terms; and generally relating to wind energy tax incentives.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 700 – Delegates Hecht, Barkley, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Haynes, Howard, Lee, Mizeur, Stein, and Waldstreicher

AN ACT concerning

Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Hot Water Systems

FOR the purpose of providing that a person who owns and operates a certain solar hot water system shall receive a certain renewable energy credit under certain circumstances; authorizing a certain renewable energy credit to be transferred and applied to a certain renewable portfolio standard under certain circumstances; authorizing an electricity supplier to use certain renewable energy credits to meet a certain renewable energy portfolio standard under certain circumstances; requiring that the duration of a certain contract between a certain electricity supplier and a person who owns a solar hot water system be of a certain length of time; providing that a certain minimum required term of a

certain contract does not affect the ability of the parties to negotiate a price for certain renewable energy credits that varies over time in certain manners; requiring a certain electricity supplier that purchases certain renewable energy credits to purchase the credits with a certain single initial payment under certain circumstances; requiring the Public Service Commission to develop a method for estimating certain annual energy savings from a certain solar hot water system; requiring the Commission to allocate certain credits to a certain electricity supplier in a certain manner under certain circumstances; requiring the Commission to make a certain determination; defining a certain term; and generally relating to renewable energy credits derived from solar hot water systems.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–701(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–709(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–701(k–1), 7–704(g), and 7–709(g)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 701 – Delegates Hecht, Barkley, Beidle, Carr, G. Clagett, DeBoy, and Howard

AN ACT concerning

Vehicle Laws – Fleeing or Eluding Police – Penalties and Forfeiture

FOR the purpose of altering a requirement that a vehicle used by a law enforcement officer to signal a person to stop under certain circumstances must be marked as an official police vehicle to require that the vehicle be an emergency vehicle used for law enforcement purposes; altering certain penalties for certain offenses relating to causing bodily injury or death while fleeing or eluding police; authorizing a law enforcement officer to seize a vehicle that is used by an individual in the commission of certain offenses relating to fleeing or eluding police; establishing a rebuttable presumption, for certain purposes, that a

registered owner of the vehicle was the driver of the vehicle at the time that a certain offense relating to fleeing and eluding police was committed or that a registered owner had knowledge that the vehicle would be used to commit a certain offense; allowing the presumption to be rebutted if a registered owner of the vehicle provides certain clear and convincing evidence; prohibiting a vehicle from being forfeited if the vehicle was not being operated by a registered owner at the time of the offense and if it was used to commit the offense without the knowledge of any registered owner of the vehicle; authorizing a certain law enforcement officer to recommend forfeiture to a certain forfeiting authority only after the officer takes certain actions; providing that a sworn affidavit from a certain law enforcement officer is admissible into evidence in a certain proceeding for a certain purpose; prohibiting the chief law enforcement officer from being subpoenaed under certain circumstances; requiring a certain forfeiting authority to file a certain complaint with the District Court under certain circumstances; requiring the District Court to schedule a certain hearing; requiring that the registered owner of a certain vehicle be sent a certain notice; requiring the District Court to take certain actions after making certain determinations; requiring a lienholder to sell a vehicle in a certain manner under certain circumstances; providing for the distribution of the proceeds of a certain sale; authorizing the State or a political subdivision to sell a certain vehicle if no claim is lodged by a lienholder and directing the distribution of the proceeds of the sale; defining certain terms; and generally relating to the offense of fleeing or eluding police.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–904 and 27–101(p)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 27–115
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 702 – Delegates Impallaria, Boteler, Dwyer, George, Jennings, McDonough, Minnick, Norman, and Stocksdale

AN ACT concerning

Controlled Dangerous Substances – Manufacturing, Distributing, or Dispensing – Revocation of License to Drive

FOR the purpose of requiring the court, if a person is convicted of a certain drug offense relating to manufacturing, distributing, or dispensing certain controlled dangerous substances, to notify the person that the person's license to drive will be revoked and to notify the Motor Vehicle Administration to revoke the person's license to drive; requiring the Administration, on receipt of a certain notice, to revoke the driver's license of a person convicted of a certain drug offense under certain circumstances; providing that a licensee may request a hearing on a revocation under this Act; prohibiting the Administration from reinstating a person's license to drive if the person's license is revoked under certain circumstances; and generally relating to the revocation of a person's license to drive for the commission of a drug offense.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–602
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–607
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–206.2 and 16–208(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 703 – Delegates Impallaria, Boteler, Dwyer, Jennings, Minnick, Norman, and Stocksdale

AN ACT concerning

Criminal Law – Early Release of Inmate Subject to Deportation Order

FOR the purpose of authorizing the Maryland Parole Commission to consider releasing a certain inmate at any time after the inmate's period of imprisonment has commenced, provided that the inmate is subject to a final order of deportation issued by the United States Immigration and Naturalization Service and has not been convicted of a certain crime of violence; providing that a grant of parole under this Act shall be conditioned specifically on the prompt deportation of the inmate; authorizing the Commission to make a certain conditional grant of early parole only in circumstances in which the

Commission has received certain assurances from the United States Immigration and Naturalization Service; providing that an inmate who has been granted parole in accordance with this Act shall be delivered to the custody of the United States Immigration and Naturalization Service along with a certain warrant; requiring the Commission to take certain steps if the inmate is not deported; establishing that certain time spent in the custody of the United States Immigration and Naturalization Service shall be credited against the term of a certain sentence; providing that a certain inmate who commits a new felony offense after release under this Act shall serve the remainder of the original sentence and may not receive certain credit; and generally relating to parole and deportation.

BY adding to
Article – Correctional Services
Section 7–310
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 704 – Delegates Impallaria, Boteler, McDonough, Minnick, and Norman

EMERGENCY BILL

AN ACT concerning

Motor Vehicle Excise Tax – Suspension – New Vehicles

FOR the purpose of suspending the motor vehicle excise tax for a certain period of time on the issuance of a certificate of title for a new motor vehicle with a certain certificate of origin; defining certain terms; making this Act an emergency measure; and generally relating to a temporary suspension of the motor vehicle excise tax on certain new motor vehicles.

Read the first time and referred to the Committee on Ways and Means.

House Bill 705 – Delegates Pena–Melnyk and Ivey

AN ACT concerning

Child Fatality Review – Child Death Review Case Reporting System

FOR the purpose of authorizing certain members and staff of certain State teams to provide identifying information to a national center for child death review in accordance with certain data use agreements that require the national center to act as a fiduciary agent of certain State and local teams; establishing that

certain information provided to a national center for child death review is confidential and subject to certain confidentiality and discovery protections; defining certain terms; and generally relating to child fatality review and a child death review case reporting system.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–701 and 5–704
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 706 – Delegate Pena–Melnyk

AN ACT concerning

Electronic Health Records – Regulation and Reimbursement

FOR the purpose of requiring the Maryland Medical Assistance Program to reimburse certain health care providers in accordance with certain provisions of this Act; requiring the Maryland Health Care Commission, in consultation with the Department of Health and Mental Hygiene and the Maryland Insurance Administration, to adopt certain regulations on or before a certain date requiring certain payors to include certain costs in a certain reimbursement structure; requiring the Commission to designate a certain health information exchange on or before a certain date; requiring the Commission to determine the appropriate level of additional reimbursement in a certain manner; providing that certain regulations shall apply to certain entities under certain circumstances; requiring the Commission, in consultation with the Department and the Administration, to adopt certain regulations that specify certain certification requirements on or before a certain date; requiring the Commission to designate a certain management service organization on or before a certain date; authorizing the Commission to use certain grants and loans in a certain manner; requiring certain health care providers to use certain electronic health records on or after a certain date; prohibiting certain payors from reimbursing certain health care providers on or after a certain date under certain circumstances; providing that certain provisions of this Act shall apply to certain entities under certain circumstances; providing that certain provisions of this Act apply to health maintenance organizations; requiring certain carriers to reimburse certain health care providers in accordance with certain provisions of this Act; requiring the Secretary of Budget and Management to ensure that the State Employee and Retiree Health and Welfare Benefits Program complies with certain provisions of this Act; and generally relating to the regulation of and reimbursement for the use of electronic health records.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a) and (c), 15–101(a) and (h), and 19–101
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–105.2; 19–142 through 19–145 to be under the new part "Part IV. Electronic Health Records – Regulation and Reimbursement"; and 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–132
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 2–501(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–503(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 707 – Delegates Barve, Bronrott, Hubbard, and Morhaim

AN ACT concerning

Maryland Energy Conservation Building Standards Improvement Act

FOR the purpose of requiring the Department of Housing and Community Development to adopt the International Energy Conservation Code as part of the Maryland Building Performance Standards; altering the time by which the Department is required to adopt each subsequent version of the Standards; authorizing the Department to adopt certain modifications of the building code as part of the Standards; prohibiting the Department from adopting certain

other modifications of the building code as part of the Standards; requiring any version of the Standards adopted after certain dates to include certain additional energy savings in new buildings; requiring the Department to use a certain method to calculate these additional energy savings; requiring the Department to develop certain code elements and options to achieve a certain amount of energy savings above the additional energy savings, and to publish them in a certain way for use as a model by local jurisdictions; providing that any building that complies with the model code elements and options is also in compliance with the Standards; prohibiting local jurisdictions from adopting certain local amendments to the Standards; requiring local jurisdictions to implement and enforce a certain version of the Standards by a certain date; and generally relating to energy efficiency requirements under the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–501, 12–503, 12–504(a), and 12–505(a)(1)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 708 – Delegates Vaughn, Glenn, Gutierrez, Holmes, Hucker, Jones, Lafferty, Lee, Love, Manno, Oaks, Ramirez, Robinson, and Valderrama

AN ACT concerning

Recipients of State Incentives or Financial Assistance – Diversity Initiatives

FOR the purpose of requiring certain units of State government to ensure that an entity that receives a certain State incentive or financial assistance has adopted and implemented a certain diversity initiative and embraces minority business enterprise participation in its activities; requiring certain entities to submit an annual report to the Governor's Office of Minority Affairs; providing for the application of this Act; making a stylistic change; and generally relating to the utilization of minority business enterprises by entities receiving certain State incentives or financial assistance.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–204(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–302

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 709 – Delegates Hubbard, Barve, Benson, Bronrott, Costa, Donoghue, Frush, Kipke, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Reznik, Riley, Ross, Tarrant, V. Turner, and Weldon

AN ACT concerning

Children's Environmental Health Protection Act

FOR the purpose of requiring each county board to adopt a health and safety program that includes certain plans; requiring a hazardous substance removal plan to contain certain provisions; requiring a fire and life safety code repair plan to contain certain provisions; requiring a facility and equipment violation plan to contain certain provisions; requiring a health, safety, and environmental management plan to require the use of certain cleaning and maintenance products; requiring the Department of Health and Mental Hygiene to develop certain regulations; requiring an integrated pest management plan to contain certain provisions; requiring the Department to develop a certain curriculum and certain model plans; requiring each county board to submit certain plans to the Secretary of Health and Mental Hygiene on or before a certain date; requiring each county board to prepare, publish, and make available a certain annual report; requiring the Secretary to allow for public notice and an opportunity for public comment before approving a certain plan; requiring the Secretary to make certain information available to the public; authorizing county boards to deplete a certain supply of cleaning and maintenance products provided that certain products are not used after a certain date; defining a certain term; and generally relating to children's environmental health.

BY adding to
Article – Health – General
Section 13–2801 through 13–2804 to be under the new subtitle "Subtitle 24. Children's Environmental Health"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–111
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

House Bill 710 – Delegates Aumann, Anderson, Barkley, Bates, Beitzel, Boteler, Branch, G. Clagett, Conaway, Conway, Costa, DeBoy, Eckardt, Frank, Gaines, Griffith, Gutierrez, Haddaway, Haynes, James, Jennings, Kach, Krebs, Lafferty, Levy, Malone, Mathias, McComas, McDonough, McHale, Minnick, Morhaim, Olszewski, Robinson, Rudolph, Schuh, Shewell, Sophocleus, Sossi, Stein, Stocksdale, Stull, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Higher Education – Edward T. Conroy Tuition Waiver Program – Establishment

FOR the purpose of repealing the Edward T. Conroy Memorial Scholarship Program and establishing the Edward T. Conroy Tuition Waiver Program that provides a certain waiver of tuition and mandatory fees at public institutions of higher education in the State for certain members of the armed forces, prisoners of war, public safety employees, veterans, and certain spouses and children; providing a certain waiver of tuition and mandatory fees for certain survivors of Maryland residents killed in certain terrorist attacks; exempting a recipient from repaying certain amounts; providing for the duration of the waiver; defining certain terms; and generally relating to the establishment of the Edward T. Conroy Tuition Waiver Program.

BY repealing
Article – Education
Section 18–601
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 15–106.7
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 711 – Delegates Cardin, Ivey, and McIntosh

AN ACT concerning

Income Tax – Subtraction Modification – Healthy Improvement and Disease Prevention Act of 2009

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain health– and fitness–related expenses; limiting the amount and type of expenses that certain taxpayers may subtract from federal adjusted gross income; requiring the Comptroller in cooperation with the Department of Health and Mental Hygiene to adopt certain regulations; defining certain terms; requiring the Comptroller and the Department to report to the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain health– and fitness–related expenses.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 712 – Delegates Hixson, Benson, Cardin, V. Clagett, Doory, Gutierrez, Hecht, Ivey, Kaiser, Love, McIntosh, Pena–Melnyk, Rice, and Valderrama

AN ACT concerning

Family Day Care Homes and Child Care Centers – Emergency Preparedness Plans

FOR the purpose of requiring the adoption of certain regulations that require certain family day care providers and certain child care centers to have certain emergency preparedness plans for certain emergency situations; requiring certain plans to include certain relocation sites, certain evacuation routes, and certain procedures; requiring certain family day care providers and certain child care centers to train certain staff and ensure that certain staff are familiar with certain plans; and generally relating to the emergency preparedness plans of family day care homes and child care centers.

BY repealing and reenacting, without amendments,
Article – Family Law

Section 5–501(e) and (f), 5–551(a), and 5–573(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Family Law
Section 5–551(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–573(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 713 – Delegates Jones, Anderson, Barkley, Bohanan, Branch, Burns, Carter, G. Clagett, Dumais, Eckardt, Gaines, Griffith, Gutierrez, Haynes, Healey, McComas, McHale, Mizeur, Montgomery, Nathan–Pulliam, Niemann, and Taylor

AN ACT concerning

Programs for Children in Out–of–Home Placement – System for Outcomes Evaluation

FOR the purpose of expanding the programs to which certain provisions relating to a certain system for outcomes evaluation for certain programs for children in out–of–home placement apply; exempting certain facilities and programs from certain provisions relating to a certain system for outcomes evaluation; altering certain definitions to include certain programs for purposes of certain provisions relating to a certain system for outcomes evaluation; providing for the effective dates of this Act; and generally relating to children in out–of–home placement and a certain system for outcomes evaluation.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 8–101(a) and (m)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services

Section 8–1001 through 8–1003 to be under the amended subtitle "Subtitle 10. Programs for Children in Out–of–Home Placement – Standards for Staff and System for Outcomes Evaluation"
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY adding to
Article – Human Services
Section 8–1002
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 8–1001(a) and (e)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–1001(d)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 714 – Delegates Donoghue, Pena–Melnyk, and Costa

AN ACT concerning

Loan Assistance Repayment and Practice Assistance for Physicians

FOR the purpose of altering the eligibility for the Janet L. Hoffman Loan Assistance Repayment Program in a certain manner; repealing a certain prohibition on the hiring of more than a certain number of staff to administer a certain program; establishing the Maryland Loan Assistance Repayment Program for Physicians; requiring the Office of Student Financial Assistance to assist in the repayment of certain loans owed by certain physicians using certain funds; providing that certain money may not transfer or revert to the General Fund of the State but shall remain in a certain fund for a certain purpose; authorizing the Office to assist in the repayment of certain loans under certain circumstances; requiring the Office to prioritize funding for the repayment of loans through the Program in a certain manner; requiring the Office, in collaboration with the Department of Health and Mental Hygiene, to adopt certain regulations; making certain

conforming changes; requiring the Maryland Health Care Commission and the Department of Business and Economic Development to report to the General Assembly on or before a certain date on the feasibility of providing assistance to physician practices in a certain manner; defining certain terms; and generally relating to loan assistance repayment and practice assistance for physicians.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1502
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 18–2801 through 18–2805 to be under the new subtitle "Subtitle 28. Maryland Loan Assistance Repayment Program for Physicians"
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–207(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–207(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 51)

ADJOURNMENT

At 8:30 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 10, 2009.

Annapolis, Maryland
Tuesday, February 10, 2009

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseph J. Minnick of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 52)

The Journal of February 9, 2009 was read and approved.

EXCUSES:
Del. Donoghue – stuck in traffic
Del. Miller – personal
Del. Weldon – stuck in traffic

INTRODUCTION OF BILLS

House Bill 715 – Delegate Bromwell

AN ACT concerning

Home Health – Certificate of Need

FOR the purpose of repealing the requirement that a certificate of need be obtained for a home health agency and for certain services provided by a home health agency within the scope of its home health agency license; altering certain definitions; and generally relating to home health and certificate of need.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–114(a) and (c), 19–120(a)(1), and 19–404(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–114(d), 19–120(a)(3) and (j), and 19–406

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health – General
Section 19–404(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 716 – Delegates Wood and Bohanan

AN ACT concerning

Creation of a State Debt – St. Mary's County – Cedar Lane Apartment Renovations

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 Friends of Cedar Lane, 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 Appropriations.

House Bill 717 – Delegates Dumais, McComas, Ali, Barkley, Beidle, Doory, Eckardt, Feldman, Haddaway, Ivey, Jameson, Jones, Kullen, Lee, Love, Montgomery, Pena–Melnyk, Valderrama, and Waldstreicher

AN ACT concerning

Family Law – Child Custody Determinations

FOR the purpose of specifying the procedures for court determinations of legal and physical custody of minor children; requiring the court, in any proceeding between parents in which the custody of a child is raised as an issue, to make a determination as to legal and physical custody of the child; authorizing the court to award certain forms of legal and physical custody; requiring the court, in making a certain custody determination, to give primary consideration to the best interest of the child; requiring the court, in determining the best interest of the child, to consider certain factors; requiring the court, in making a certain custody determination, to articulate its reasons on the record, including the factors considered in the determination; prohibiting the court from denying custody to a parent solely on the basis of a disability of the parent except under

certain circumstances; authorizing the court to modify a custody order or agreement under certain circumstances; specifying that this Act may not be considered to be a material change of circumstances for purposes of modifying a certain child custody order; defining certain terms; and generally relating to child custody.

BY adding to
Article – Family Law
Section 9–501 through 9–506 to be under the new subtitle "Subtitle 5. Child Custody Determinations"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 718 – Delegate Donoghue

AN ACT concerning

Health Insurance – Transactions Within Insurance Holding Company Systems – Exemption

FOR the purpose of exempting nonprofit health service plans that insure fewer than a certain number of lives from certain provisions of law governing transactions within insurance holding company systems; and generally relating to insurance holding company systems.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 7–701
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 719 – Frederick County Delegation

AN ACT concerning

Frederick County – Tip Jars and Punchboards – Licensed Distributors

FOR the purpose of altering a certain requirement to be met by a distributor licensed in Frederick County from whom certain persons may purchase a tip jar or punchboard for gaming purposes; and generally relating to tip jar and punchboard gaming in Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1302 and 13–1305(a)(1)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–1305(d)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 720 – Delegates McDonough and Shewell

AN ACT concerning

Nuclear Generating Facility – Sale of Electricity at Lowest Best Price and Disclosure of Rates

FOR the purpose of requiring a nuclear generating facility located in the State to offer to sell electricity to a certain electric company at the lowest best price that it sells electricity to certain other customers; authorizing the Public Service Commission to waive the obligation of a nuclear generating facility located in the State to offer to sell electricity to a certain electric company at the lowest best price if the Commission makes a certain determination; requiring a nuclear generating facility located in the State to disclose to certain persons the rates of all electricity it sells to customers outside the State; providing that existing obligations or contract rights may not be impaired by this Act; making the provisions of this Act severable; and generally relating to the sale of electricity to electric companies affiliated with a nuclear generating facility.

BY adding to
Article – Public Utility Companies
Section 7–510.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 721 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Wine Festival License

FOR the purpose of establishing a special wine festival (WF) license in Frederick County; requiring that an applicant for a special WF license must be a holder of a certain other license; specifying that a holder of a special WF license may display and sell wine in a certain manner; requiring the Frederick County Board of License Commissioners to assure that the primary focus of the festival is the promotion of Maryland wine; requiring a holder of a special WF license to display and sell certain wine; providing for a license fee; providing that this Act does not prohibit the holder of a special WF license from holding another alcoholic beverages license; authorizing the Board to choose certain weekends for festivals; requiring the Board to choose certain locations for the festivals; requiring the Board to adopt certain regulations; defining certain terms; and generally relating to wine in Frederick County.

BY renumbering
Article 2B – Alcoholic Beverages
Section 8–308.1
to be Section 8–308.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–308.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 722 – Delegates Costa and Frush

AN ACT concerning

Disease Prevention – Cancer Reports – Myelodysplastic Syndromes

FOR the purpose of requiring certain hospitals, laboratories, ambulatory care facilities, radiological centers, and health care practitioners to submit certain reports, make certain information available, or enter into certain agreements with certain hospitals; adding certain syndromes to the diagnoses required to be reported in a cancer report; authorizing the Secretary of Health and Mental Hygiene or the Secretary's agent to inspect certain medical records of certain patients under certain circumstances; making a certain stylistic change; defining a certain term; and generally relating to the reporting of myelodysplastic syndromes.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–204

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 723 – Delegates Barve and Cardin

AN ACT concerning

Election Law – Campaign Finance Entity – Authority of Chairman to Make a Disbursement

FOR the purpose of providing that, in certain circumstances, the chairman, rather than the treasurer, of a campaign finance entity, may make a disbursement for the campaign finance entity; requiring the chairman to submit a certain report to the treasurer of the campaign finance entity; prohibiting a chairman who is a candidate from making a disbursement; and generally relating to the authority of a chairman to make a disbursement for a campaign finance entity.

BY repealing
Article – Election Law
Section 13–211 and 13–219
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–215 and 13–218
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 724 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Cosca Regional Skate Park

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 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 Appropriations.

House Bill 725 – Delegates Tarrant, Benson, Bromwell, Costa, Pena–Melnyk, Reznik, Riley, and V. Turner

AN ACT concerning

Group Model Health Maintenance Organizations – Drug Therapy Management

FOR the purpose of requiring certain physicians and certain pharmacists who provide certain drug therapy management to certain patients to have certain physician–pharmacist agreements approved by the State Board of Pharmacy and the State Board of Physicians; authorizing certain drug therapy management to be provided under certain circumstances; authorizing certain pharmacists to enter into certain agreements; requiring certain agreements to prohibit certain substitutions of certain drug products, subject to certain exceptions; authorizing certain patients to decline to participate or withdraw from certain drug therapy management at certain times; requiring certain physicians and certain pharmacists to make certain disclosures to certain patients and to obtain certain consent from certain patients following certain disclosures; defining certain terms; and generally relating to drug therapy management of patients in group model health maintenance organizations.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–701(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–713.6
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6A–01 and 12–6A–02
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 726 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – Knights of St. John Woodville School Building

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 Knights of St. John Commandery No. 373, 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 Appropriations.

House Bill 727 – Delegates Eckardt, Haddaway, Smigiel, Sossi, and Walkup

AN ACT concerning

Caroline County – School Buses – Length of Operation

FOR the purpose of altering the length of time a school bus may be operated in Caroline County; 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 the length of time a school bus may be operated in Caroline County.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–804
Annotated Code of Maryland
(2008 Replacement Volume)
(As enacted by Chapters 637 and 638 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Ways and Means.

House Bill 728 – Delegates Love, Beidle, Dwyer, Kipke, and Schuh

AN ACT concerning

Public Health – Sale of Baked Goods – Home Kitchens

FOR the purpose of authorizing a person to sell certain baked goods without a license to operate a food establishment under certain circumstances; requiring certain baked goods to have a certain label; and generally relating to the sale of baked goods made in a kitchen in a private home.

BY adding to
Article – Health – General
Section 21–313.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 729 – Delegates McConkey, Beidle, George, Glenn, Holmes, Sossi, and Weir

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area – Prospective Land Purchases – Inspections

FOR the purpose of requiring a local jurisdiction to inspect a lot or parcel that is in the Chesapeake Bay or Atlantic Coastal Bays critical area at the request of a prospective purchaser to determine if a critical area violation exists on the lot or parcel; establishing that a certain subsequent purchaser of a lot or parcel in the critical area is not liable for certain criminal or civil penalties for certain violations under certain circumstances; authorizing a local jurisdiction to impose a certain inspection fee; requiring a local jurisdiction that performs an inspection under this Act to provide the prospective purchaser with a certain report; authorizing the recordation in the appropriate land records of an inspection report and certain remedial action taken to address critical area violations; requiring the Chesapeake and Atlantic Coastal Bays Critical Area Commission to adopt regulations to establish standards and procedures for inspections performed and remedies required under this Act; and generally relating to local inspections for a prospective purchaser of a lot or parcel in the Chesapeake and Atlantic Coastal Bays critical area.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1806

Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–102
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 10–206
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 730 – Delegate Costa

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Southern High School Field House

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors for the Southern High School Sports Booster 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 Appropriations.

House Bill 731 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Licenses – Application Requirements – Citizenship Status

Ho. Co. 8–09

FOR the purpose of altering certain provisions of law that apply to Howard County with regard to certain required information on an application for an alcoholic beverages license that relates to the citizenship of the applicant; making

stylistic changes; and generally relating to applications for alcoholic beverages licenses in Howard County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–103(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 732 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Wicomico County – Local Board of Elections – Compensation

FOR the purpose of altering the compensation of a substitute member of the local board of elections in Wicomico County; repealing a certain requirement relating to the compensation of the counsel to the local board of elections in Wicomico County; providing that this Act does not apply to the salary or compensation of an incumbent substitute member of the local board of elections in Wicomico County; and generally relating to the compensation of the local board of elections in Wicomico County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–204 and 2–205
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 733 – Delegates Lafferty, Ali, Glenn, Hecht, Niemann, and Stein

AN ACT concerning

Real Property – Tenants in Foreclosure Protection Act

FOR the purpose of establishing that a foreclosure sale of certain property shall be made subject to a certain tenancy under certain circumstances; providing for the effect of a foreclosure sale on a certain lease; and generally relating to the effect of a foreclosure sale on certain tenancies.

BY repealing and reenacting, with amendments,
Article – Real Property

Section 7–105
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 734 – Delegates Tarrant, Benson, Conaway, Costa, Kullen, Morhaim, Nathan–Pulliam, Riley, Robinson, and V. Turner

AN ACT concerning

Health Insurance – Participation by Hospitals on Provider Panels – Prohibited Rejections or Conditions

FOR the purpose of prohibiting certain health insurance carriers from rejecting a hospital for participation on a carrier's provider panel or conditioning a hospital's participation on a carrier's provider panel based on whether a certain health care provider participates on the carrier's provider panel; making a violation of certain provisions of this Act an unfair and deceptive act or practice in the business of insurance; applying certain provisions of this Act to health maintenance organizations; and generally relating to health insurance carriers and provider panels.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (4), (7), (9), and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–112(p–1) and 27–223
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 735 – Delegates Jones and Bronrott

AN ACT concerning

State Personnel – At–Will Employment – Reforms and Reports

FOR the purpose of repealing certain provisions of law that designate certain positions and employees as being in the executive service or management service or as special appointments in the State Personnel Management System; requiring the Secretary of Budget and Management to designate management service positions in the System that must be filled without regard to certain criteria and that may be filled with regard to certain criteria; requiring the Secretary to provide certain information to the Governor and the General Assembly on certain management service positions; providing that certain management service positions may be filled with regard to certain criteria; altering the criteria for designating certain positions in the professional service; altering the criteria for designating certain positions in the management service; repealing a provision of law that designates individuals in certain positions in the management service or the executive service as special appointments; excluding from the scope of certain provisions of law governing appointments in the skilled service and the professional service the recruitment for and the appointment to a professional service position under certain circumstances; altering the circumstances under which an appointing authority may select a candidate for a certain position by recruitment; repealing a certain obsolete provision relating to certain professional assistants; repealing a certain requirement that certain employees in certain demonstration sites be in the management service or a special appointment in the System; requiring the Secretary of Budget and Management and the Secretary of Transportation to compile a list of certain employees on or before a certain date of a certain years; requiring the Secretary of Transportation to provide a certain list of employees to the Secretary of Budget and Management on or before a certain date; requiring the Secretary of Budget and Management to submit a certain report on or before a certain date; requiring the Secretary of Budget and Management to conduct a certain evaluation of certain special appointments and report the results of the evaluation on or before certain dates; and generally relating to State personnel, employment categories, and special appointments.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–201, 4–302, 5–208, 6–402, 6–403, 6–405(a), 7–201, and 7–203
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–215(b) and 4–204
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 2–115
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–104(c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing
Article – Family Law
Section 10–119.2(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–119.2(g) through (j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–107, 19–206, and 19–2106(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–204(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–316
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – State Government
Section 8–3A–02
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 736 – Delegates McHale, Davis, Haddaway, Krysiak, and Vaughn

AN ACT concerning

Electric Universal Service Program – Modifications

FOR the purpose of altering certain criteria for providing bill assistance under the electric universal service program; repealing a certain limitation on providing arrearage retirement assistance under the program; clarifying the scope of certain weatherization assistance funded under the program; authorizing the program to provide arrearage retirement assistance to certain customers under certain conditions; authorizing the Department of Human Resources to establish certain criteria for certain program assistance and to coordinate program benefits with certain other benefits; altering certain information that the Public Service Commission must report to the General Assembly; requiring the Office of Home Energy Programs to report certain information to the Commission and the General Assembly; altering the period within which certain funds may be retained for use in certain fiscal years; making a technical correction; and generally relating to low–income electric customers and the electric universal service program.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–512.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 737 – Delegate McHale

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Acquisition of Power to Influence Electric Company, Gas and Electric Company, or Gas Company Policy or Action – Authorization

FOR the purpose of providing that a certain provision of law may not be construed to limit the authority of the Public Service Commission to authorize certain financial transactions relating to an electric company, a gas and electric company, or a gas company; providing for the application of this Act; making this Act an emergency measure; and generally relating to the authority of the

Public Service Commission to authorize certain financial transactions relating to an electric company, a gas and electric company, or gas company.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 6–105(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 738 – Delegate Cardin

EMERGENCY BILL

AN ACT concerning

Elections – Voting System Requirements and Accommodations for Voters with Disabilities

FOR the purpose of specifying that a voting system selected and certified by the State Board of Elections shall meet certain federal performance and test standards; specifying an alternative entity that may serve as the certification agent for testing laboratories for voting systems used in the State; altering and clarifying provisions relating to accessibility standards governing voting systems selected, certified, and implemented in the State; authorizing the State Board to certify a specified type of voting system for use by voters with disabilities; making this Act an emergency measure; and generally relating to voting system selection and certification.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–102
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 739 – Delegates Hammen, Kach, Morhaim, and Pendergrass

AN ACT concerning

Maryland Medical Assistance Program – Substance Abuse Services

FOR the purpose of requiring that individuals receiving certain Maryland Medical Assistance Program benefits receive certain substance abuse benefits; requiring the Governor to provide certain funding in certain fiscal years to provide certain

substance abuse benefits; authorizing the Governor to transfer by budget amendment in a certain fiscal year certain funding for a certain substance abuse benefit and to increase certain fees; providing that it is the intent of the General Assembly that the Governor is not required to make a certain transfer of funds under certain circumstances; and generally relating to the Maryland Medical Assistance Program and substance abuse services.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(2)(ix)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–103(a)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 740 – Delegates Harrison, Taylor, Anderson, Branch, Braveboy, Conaway, Glenn, Haynes, Kirk, Love, McHale, Nathan–Pulliam, Stukes, and Tarrant

AN ACT concerning

Unemployment Insurance – Maximum Benefit – Increase

FOR the purpose of increasing the amount of the weekly unemployment insurance benefit up to a certain amount over a certain period of time; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–803
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–803
Annotated Code of Maryland
(2008 Replacement Volume)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Economic Matters.

House Bill 741 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City Land Bank Authority – Recodification

FOR the purpose of transferring, without substantive change, certain provisions of law concerning the Baltimore City Land Bank Authority from the Annotated Code of Maryland to the Baltimore City Charter; making stylistic changes; and generally relating to the recodification of the Baltimore City Land Bank Authority.

BY repealing
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 through 22–212 and the title "Title 22. Baltimore City Land Bank Authority"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
The Charter of Baltimore City
Article II – General Powers
Section (65)
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 742 – Delegates Ivey, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Benson, Bobo, Bohanan, Branch, Bronrott, Burns, Cane, Carr, Carter, V. Clagett, Conaway, Davis, Doory, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Jameson, Jones, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lee, Levy, Love, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Robinson, Rosenberg,

Ross, Schuler, Shewell, Simmons, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Lawful Presence – Identification Card

FOR the purpose of requiring the Motor Vehicle Administration to issue a "lawful presence" identification card under certain circumstances to a resident of the State who is a citizen of the United States or is otherwise lawfully present in the United States; prohibiting a person from committing fraud or misrepresentation in applying for or using an identification card issued under this Act; establishing certain criminal penalties; providing for certain features and contents of an identification card issued under this Act; authorizing the Administration to cancel an identification card issued under this Act under certain circumstances; requiring the holder of an identification card issued under this Act to surrender the card under certain circumstances; providing for a certain fee; providing for the construction of this Act; and generally relating to requiring the Administration to issue certain identification cards under certain circumstances to residents of the State who are lawfully present in the United States.

BY adding to
Article – Transportation
Section 12–302
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(c)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 743 – Delegate Hucker

AN ACT concerning

Electric Companies – Purchase or Use of Mountaintop Coal – Prohibited

FOR the purpose of prohibiting an electric company that operates a coal–fired generating station in the State from purchasing or using coal extracted by mountaintop removal; requiring the Public Service Commission to give due consideration to ensuring that an applicant complies with the prohibition before taking final action on an application for a certificate of public convenience and

necessity for an electric generating station; and generally relating to prohibiting the purchase or use of coal extracted by mountaintop removal.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–207(b)(1)(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–213
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 744 – Delegates Rosenberg, Carter, and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Roland Park Fire Station Rehabilitation

FOR the purpose of authorizing the creation of a State Debt in the amount of $110,000, the proceeds to be used as a grant to The Baltimore City Fire Department 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 Appropriations.

House Bill 745 – Delegate Krebs

AN ACT concerning

Town of Sykesville Employees – Participation in the Employees' Pension System

FOR the purpose of requiring certain employees of the Town of Sykesville 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 Sykesville to receive service credit for certain prior service; providing that certain employees of the Town of Sykesville 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 Sykesville 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 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31–111.5
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 746 – Delegate Barkley

AN ACT concerning

Motor Fuel Tax – Increase

FOR the purpose of altering the motor fuel tax rates for certain motor fuels; providing for the payment of certain motor fuel taxes on certain tax–paid motor fuel as of a certain date; and generally relating to the motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 747 – Delegate Barkley

AN ACT concerning

Motor Fuel Tax – Adjustments

FOR the purpose of altering the motor fuel tax rates for certain motor fuel; providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods under certain circumstances; requiring the Comptroller to make certain determinations and announcements; providing for the payment of certain taxes on certain tax–paid motor fuel held as of certain dates; and generally relating to motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 748 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Mineral Interests Act

FOR the purpose of stating the purpose of this Act; authorizing a certain owner of real property to maintain an action to terminate a certain mineral interest under certain circumstances; establishing certain actions that constitute use of a mineral interest; requiring a certain owner to bring a certain action in the circuit court of a certain jurisdiction under certain circumstances; authorizing an owner of a mineral interest to record the mineral interest under certain circumstances; providing that a mineral interest is preserved in the county in which the notice is recorded; authorizing certain individuals to record a certain notice under certain circumstances; requiring certain information to be included in a certain notice; requiring a mineral interest to be identified in a certain manner; requiring a court to permit a certain owner to record a late notice under certain circumstances; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to dormant mineral interests.

BY adding to
Article – Environment
Section 15–1201 through 15–1205 to be under the new subtitle "Subtitle 12. Maryland Dormant Mineral Interests Act"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 749 – Delegate Beitzel

AN ACT concerning

Wind–Powered Electric Generating Facilities – Decommissioning and Restoration – Surcharge, Bond or Other Security, and Fund

FOR the purpose of requiring the Public Service Commission to establish a surcharge on wind–powered electric generating facilities in the State for a certain purpose on the basis of certain factors; requiring the Comptroller to collect the revenue from the surcharge and deposit it into the Maryland Wind–Powered Electric Generating Facility Decommissioning and Restoration Fund; requiring the Commission to review the amount of the surcharge at certain intervals; authorizing the Commission to adjust the surcharge on review; authorizing a wind–powered electric generating facility to post a certain bond or other security in lieu of a surcharge under certain circumstances; requiring the Commission to collect the bond or other security and deposit it in the Fund; requiring the Commission to adopt certain regulations relating to the surcharge and the bond or other security; establishing the Fund for certain purposes; providing for the use, accounting, and administration of the Fund; providing for the investment of the Fund and disbursement of any revenue from the investment in a certain manner; requiring the Commission to adopt certain regulations relating to the Fund; requiring the Commission to submit a certain report by a certain date each year to the Governor and the General Assembly; and generally relating to the financing of decommissioning and restoration of wind–powered electric generating facilities in the State.

BY adding to
Article – Public Utility Companies
Section 7–213 and 7–214
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 750 – Delegate Beitzel

AN ACT concerning

Public Utility Companies – Wind Turbines – Performance Standards

FOR the purpose of requiring the Public Service Commission and the Department of the Environment to develop jointly certain general performance standards for wind–powered electric generating turbines erected in the State; requiring the Commission to adopt certain standards by regulation; and generally relating to general performance standards for wind turbines erected in the State.

BY adding to

Article – Public Utility Companies
Section 7–213
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 751 – Delegates Love, Aumann, Barkley, Barnes, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Cane, V. Clagett, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Guzzone, Haddaway, Hucker, Impallaria, James, Jennings, Jones, Kach, Kaiser, King, Kipke, Kramer, Krebs, Levi, Manno, Mathias, McComas, McConkey, McDonough, Miller, Minnick, Montgomery, Olszewski, Pendergrass, Ramirez, Riley, Schuh, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stocksdale, F. Turner, Weir, and Wood

AN ACT concerning

Income Tax – 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 752 – Delegates Love, Aumann, Bates, Beidle, Bohanan, Boteler, V. Clagett, Costa, Donoghue, Dwyer, Eckardt, Elmore, Frank, George, Guzzone, Haddaway, Hucker, Impallaria, James, Jones, Kach, Kipke, Kramer, Manno, Mathias, McComas, McDonough, Miller, Minnick, Olszewski, Pendergrass, Riley, Shewell, Smigiel, Sossi, Stocksdale, Stukes, F. Turner, Weir, and Wood

AN ACT concerning

Income Tax – U.S. Government Employees' Foreign Earned Income

FOR the purpose of making permanent a subtraction modification under the Maryland income tax for certain foreign earned income of employees of the United States or of any agency of the United States; and generally relating to an income tax subtraction modification for certain foreign earned income of an individual earned as an employee of the United States or of an agency of the United States.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(w)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 753 – Delegate Beitzel

AN ACT concerning

Electric Generating Facility Decommissioning and Restoration – Surcharge or Bond or Other Security – Fund

FOR the purpose of requiring the Public Service Commission to establish a surcharge on certain electric generating facilities for a certain purpose on the basis of certain factors; requiring the Comptroller to collect the revenue from the surcharge and deposit it into the Maryland Electric Generating Facility Decommissioning and Restoration Fund; requiring the Commission to review the amount of the surcharge at certain intervals; authorizing the Commission to adjust the surcharge on review; authorizing an electric generating facility to post a certain bond or other security in lieu of a surcharge under certain circumstances; requiring the Commission to collect the bond or other security and deposit it in the Fund; requiring the Commission to adopt certain regulations relating to the surcharge and the bond or other security; establishing the Fund for certain purposes; providing for the use, accounting, and administration of the Fund; requiring the Commission to adopt certain regulations relating to the Fund; requiring the State Treasurer to invest the Fund and disburse any revenue from the investment in a certain manner; requiring the Commission to submit a certain report by a certain date each year to the Governor and the General Assembly; and generally relating to the

financing of decommissioning and restoration of electric generating facilities in the State.

BY adding to
Article – Public Utility Companies
Section 7–213 and 7–214
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON APPROPRIATIONS REPORT #1

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 65 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation) and Senators Kasemeyer, McFadden, Robey, Brinkley, Edwards, Jones, King, Kramer, Madaleno, Munson, Peters, Stoltzfus, and Zirkin

EMERGENCY BILL

AN ACT concerning

State Retirement and Pension System – Line of Duty Death Benefits – Maryland Transportation Authority Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Fallen Heroes Remembrance Ceremony

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 53)

ADJOURNMENT

At 10:35 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 11, 2009.

Annapolis, Maryland
Wednesday, February 11, 2009

The House met at 10:11 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 54)

The Journal of February 10, 2009 was read and approved.

EXCUSES:
Del. Stifler – illness

INTRODUCTION OF BILLS

House Bill 754 – Delegates Stein, Boteler, V. Clagett, Glenn, Hucker, James, Lafferty, and Weir

AN ACT concerning

Real Property – Conservation Easements – Disclosure

FOR the purpose of requiring a vendor of real property encumbered by one or more conservation easements to deliver to each purchaser a certain notice and copies of the conservation easements under certain circumstances; altering the form of the notice required to be delivered by a vendor to a purchaser under certain circumstances; altering the right of a purchaser to rescind a sales contract for property encumbered by a conservation easement under certain circumstances; prohibiting a purchaser who receives a certain notice and copies of conservation easements from rescinding the sales contract under certain circumstances; altering the contents of the notification a purchaser of real property encumbered by a conservation easement is required to give to the owner of the conservation easement under certain circumstances; altering a certain definition; making stylistic changes; and generally relating to the disclosure of conservation easements.

BY repealing and reenacting, with amendments,

Article – Real Property
Section 10–705
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 755 – Delegates Gilchrist, Barkley, Carr, Costa, Glenn, Haddaway, Ivey, Kipke, Krebs, Lee, Malone, Manno, McHale, Murphy, Rice, Ross, Simmons, Valderrama, Waldstreicher, Weir, and Wood

AN ACT concerning

Hometown Heroes Act of 2009 – 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 756 – Delegates Nathan–Pulliam, Ali, Benson, Braveboy, Gutierrez, Haynes, Ivey, Kaiser, Lee, Levy, Montgomery, Pena–Melnyk, Ramirez, Reznik, Taylor, and Valderrama

AN ACT concerning

Cultural and Linguistic Health Care Provider Competency Program

FOR the purpose of establishing a Cultural and Linguistic Health Care Provider Competency Program; providing for the purpose of the Program; requiring the Program to operate through certain professional associations; requiring certain professional societies to develop a certain training program; providing for the funding for the Program; requiring the Office of Minority Health and Health

Disparities to convene a certain workgroup; requiring the Department of Health and Mental Hygiene to develop a certain method through which certain training is recognized by certain licensing boards; defining certain terms; and generally relating to the Cultural and Linguistic Health Care Provider Competency Program.

BY adding to
Article – Health – General
Section 20–1301 through 20–1306 to be under the new subtitle "Subtitle 13. Cultural and Linguistic Competency of Health Care Providers"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 757 – Delegates Eckardt, Anderson, Dumais, Frank, Haddaway, Krebs, McComas, Norman, Schuh, Serafini, Shank, Shewell, Sossi, and Walkup

AN ACT concerning

Criminal Law – Manslaughter by Vehicle or Vessel – Fatigued Driving

FOR the purpose of establishing that a person who causes the death of another by driving, operating, or controlling a vehicle or vessel while knowingly fatigued is guilty of driving, operating, or controlling a vehicle or vessel in a grossly negligent manner and the felony of manslaughter by vehicle or vessel; establishing penalties for a violation of this Act; providing for the construction of this Act; defining a certain term; and generally relating to driving, operating, or controlling a vehicle or vessel.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–209
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 758 – Delegates Eckardt, Dwyer, Elliott, Frank, George, McComas, Sossi, Stocksdale, and Walkup

AN ACT concerning

Health Care Facilities – Reporting and Reimbursement for Never Events

FOR the purpose of requiring certain hospitals or related institutions or long–term care facilities to report certain never events within a certain period of time; specifying that a failure to report the never event as required will result in a certain rebuttable presumption; prohibiting a hospital or related institution that has been deemed responsible for a never event from receiving certain reimbursement or payment; requiring a long–term care facility that has been deemed responsible for a never event to make certain reimbursements; requiring the Secretary of Health and Mental Hygiene to seek certain authorizations and approvals from the United States Department of Health and Human Services; specifying that any action taken to enforce the provisions of this Act are in addition to other action allowed under State or federal law; defining certain terms; and generally relating to the reporting of and reimbursement for never events.

BY adding to
Article – Health – General
Section 15–146
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(f) and (o)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 759 – Delegate G. Clagett

AN ACT concerning

State Personnel – Employment Categories, Modifications, and Reports

FOR the purpose of limiting the types of positions that may be classified as special appointments in the State Personnel Management System; requiring the Secretary of Budget and Management to designate management service positions in the System that must be filled without regard to certain criteria and that may be filled with regard to certain criteria; requiring the Secretary to provide certain information to the Governor and the General Assembly on certain management service positions; providing that certain management service positions may be filled with regard to certain criteria; altering the criteria for designating certain positions in the professional service; altering the criteria for designating certain positions in the management service; repealing a provision of law that designates individuals in certain positions in the management service or the executive service as special appointments; excluding

from the scope of certain provisions of law governing appointments in the skilled service and the professional service the recruitment for and the appointment to a professional service position under certain circumstances; repealing certain provisions of law that designate certain positions and employees as being in the executive service or management service or as special appointments in the System; altering the classification of certain positions and employees; repealing a certain obsolete provision relating to certain professional assistants; repealing a certain requirement that certain employees in certain demonstration sites be in the management service or a special appointment in the System; establishing the Joint Committee on State Employment Practices; specifying the membership of the Joint Committee; specifying the duties of the Joint Committee; requiring the Secretary and the Secretary of Transportation to compile a list of certain employees on or before a certain date of certain years; requiring the Secretary of Transportation to provide a certain list of employees to the Secretary of Budget and Management on or before a certain date; requiring the Secretary of Budget and Management to submit a certain report on or before a certain date; repealing certain provisions of law relating to the Joint Committee on Fair Practices; making certain conforming changes; and generally relating to State personnel, employment categories, and special appointments.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–302(e), 4–201, 4–302, 5–206, 5–208, 6–402, 6–403, 6–405, 7–201, and 7–203
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–215(b) and 4–204
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 2–115
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–104(c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing

Article – Family Law
Section 10–119.2(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–119.2(g) through (j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–107, 19–206, and 19–2106(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–204(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–207(b)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 2–104(f) and (g)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–316
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 2–10A–08 and 8–3A–02
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Chapter 347 of the Acts of the General Assembly of 1996
Section 7 1.

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

House Bill 760 – Delegates Walkup, Smigiel, and Sossi

AN ACT concerning

Kent County – Office of the Sheriff – Salary

FOR the purpose of increasing the annual salary of the Sheriff of Kent County in a certain calendar year; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Kent County; and generally relating to the salary of the Sheriff of Kent County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(p)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 761 – Delegates V. Clagett, Love, Busch, George, Beidle, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Homeport Farm Park Building Rehabilitation Project

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 County Executive and County Council of Anne Arundel 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 Appropriations.

House Bill 762 – Delegates McIntosh, Anderson, and Doory

AN ACT concerning

Creation of a State Debt – Baltimore City – Therapeutic Pool for People with Disabilities

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 League for People with Disabilities, 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 Appropriations.

House Bill 763 – Delegates Hubbard, Frush, and Morhaim

AN ACT concerning

Environment – Lead Wheel Weights – Prohibited

FOR the purpose of prohibiting certain persons from using, allowing to be used, or selling certain lead wheel weights after certain dates; requiring the State to ensure that no vehicle in the State fleet is equipped with certain lead wheel weights after a certain date; requiring the Department of the Environment to adopt certain regulations that at a minimum list environmentally safe lead–free wheel weights; requiring the Department to update the regulations over a certain period of time; requiring the Department to inform certain persons, to the maximum extent practicable, regarding the requirements under the regulations; requiring the regulations to provide a certain phase–in period for the prohibition against the use or sale of certain wheel weights; requiring lead wheel weights removed and collected to be properly recycled; providing for the enforcement of this Act, including the required issuance of a warning for an initial violation; and generally relating to the prohibition against the use or sale of lead wheel weights in the State.

BY adding to
Article – Environment
Section 6–3A–01 to be under the new subtitle "Subtitle 3A. Lead Wheel Weights"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 764 – Delegates Conway and Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Parsonsburg Volunteer Fire Company Community 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 the Parsonsburg Volunteer Fire Company, 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 Appropriations.

House Bill 765 – Delegates Cardin, Hubbard, Morhaim, and Stein

AN ACT concerning

Natural Resources – Land Available for Tree Planting – Database

FOR the purpose of requiring the Department of Natural Resources to establish a database of certain land that is available and appropriate for certain tree planting; requiring the Department to make the database available to the general public free of charge; requiring the database to classify certain land in a certain manner and identify sensitive areas on certain lands; requiring the Department to establish a certain tree planting program for land recorded in the database that gives priority to planting in sensitive areas; requiring the Department to record certain land in the database and to solicit certain other persons to record land in the database; requiring the Department to plant trees on land recorded in the database to a certain extent and to solicit certain other persons to fund, support, or implement tree planting projects on land recorded in the database; authorizing the Department to adopt regulations to implement this Act; and generally relating to a database of land available for tree planting in the State.

BY adding to
Article – Natural Resources
Section 5–104
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 766 – Delegate Costa

AN ACT concerning

Public Utility Companies – Gas, Electric, and Telephone Companies – Billing Practices

FOR the purpose of requiring gas, electric, and telephone companies to bill residential customers once every billing period, subject to certain exceptions; requiring that the due date for a monthly bill issued by a telephone company to a residential customer be at least a certain number of days after the date on which the bill is issued; defining a certain term; and generally relating to gas, electric, and telephone companies.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–305
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 8–206
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 767 – Delegates Schuh, Costa, Dwyer, Eckardt, Elmore, Frank, George, King, Kipke, Krebs, McComas, McConkey, Myers, Norman, O'Donnell, Serafini, Shank, Smigiel, Sossi, Stifler, and Stull

AN ACT concerning

Criminal Law – Sexual Offense in the Second Degree – Penalties

FOR the purpose of increasing the mandatory minimum penalty for a person convicted of a sexual offense in the second degree under certain circumstances; prohibiting a court from suspending any part of the mandatory minimum sentence; requiring the State to notify a certain person in writing of the State's intention to seek a certain sentence; and generally relating to sexual offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–306
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 768 – Delegates George, Bates, Elliott, Frank, King, Krebs, Norman, Schuh, Sossi, and Stocksdale

AN ACT concerning

Spending Affordability Process – Forecasted Deficit – Spending Limits

FOR the purpose of requiring the Spending Affordability Committee to limit the recommended level of State spending to a certain amount under certain circumstances; requiring the Department of Legislative Services to submit a certain report to the Legislative Policy Committee by a certain date; and generally relating to the Spending Affordability Committee.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1005 and 2–1008
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 769 – Delegates Ramirez, Ivey, and Niemann

AN ACT concerning

Creation of a State Debt – Prince George's County – African–American History Museum

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 Prince George's County African–American History 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 Appropriations.

House Bill 770 – Delegates Conway, Cane, Elmore, and Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Senior Training Center for the Blind

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 Blind Industries and Services 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 Appropriations.

House Bill 771 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, Haynes, Holmes, Malone, Mathias, McConkey, Rice, Rudolph, Smigiel, Sophocleus, Sossi, and Walkup

AN ACT concerning

Sustainable Forestry Act of 2009

FOR the purpose of authorizing a local government to include certain information in a certain plan; declaring certain policy statements and findings relating to forests; altering the name of the Maryland Agricultural Land Preservation Foundation; revising provisions of the law relating to the protection of certain forestry practices from certain private actions under certain circumstances; exempting certain forestry practices from nuisance lawsuits; repealing the Forest Advisory Commission in the Department of Natural Resources; establishing a Sustainable Forestry Council in the Department; establishing the purpose of the Council; establishing the membership of the Council; altering the uses of the Forest or Park Reserve Fund; altering the amounts of certain payments made to counties from the Forest or Park Reserve Fund; authorizing certain revenues derived from certain forestry practices to be deposited in the Woodland Incentives Fund; adding to the list of uses of the Woodland Incentives Fund; prohibiting certain investment funds from being transferred or reverting to the General Fund; authorizing certain forestry boards to impose certain fees under certain circumstances; requiring the Secretary of the Department to consider certain priorities when allocating the State's share of Program Open Space funds; requiring the Department to develop certain strategies related to the retention and management of forests; encouraging the Department to develop certain plans; requiring the Department to monitor forests in a certain manner using certain funds under certain circumstances; requiring the Department to develop a certain strategy and report the strategy to the Governor on or before a certain date; authorizing certain responsibilities to be transferred from the Department of the Environment to the Department under certain circumstances; requiring the Department to work with certain representatives to determine certain procedures and time lines; authorizing the Department, in cooperation with the Maryland Higher Education Commission, to develop a certain program; requiring a certain goal to be met in a certain manner;

encouraging certain forestry boards to work with the University of Maryland Cooperative Extension to formulate a certain strategy and report certain findings and recommendations to certain committees in the General Assembly on or before a certain date; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; defining certain terms; making technical changes; and generally relating to the conservation of forest lands in the State.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 3.05(a)(4)(ii)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–501 and 2–502 to be under the amended subtitle "Subtitle 5. Maryland Agricultural and Forestry Land Preservation Foundation"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 7–101(c)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–403(a), (b), (c), and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–101, 5–102, 5–102.1, 5–204(a), (c), and (e), 5–212(g), 5–307, and 5–427
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–212(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Natural Resources
Section 5–606(c) and 5–903(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–7A–01
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 772 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – Winery License

FOR the purpose of authorizing the Carroll County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Carroll County.

BY adding to
Article 2B – Alcoholic Beverages
Section 4–301 to be under the new subtitle "Subtitle 3. Class W Winery Licenses"; and 11–507(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–507(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–507(b)(1)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 773 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Gaming – Bingo

FOR the purpose of increasing certain fees for bingo conducted in Worcester County; increasing certain maximum prizes offered in bingo; repealing a prohibition against conducting bingo outside a certain area; specifying that a certain game may be played without a prize limit; repealing a prohibition against conducting bingo on Sunday; repealing a prohibition against certain forms of advertising for bingo; authorizing all forms of advertising for bingo under certain circumstances; and generally relating to bingo conducted in Worcester County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–2602
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–2610 and 13–2611
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing
Article – Criminal Law
Section 13–2612
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 13–2612
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 774 – Delegates Haynes, Kirk, and Stukes

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 $500,000, 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 Appropriations.

House Bill 775 – Delegates Hubbard, Levi, and Holmes

AN ACT concerning

Creation of a State Debt – Prince George's County – Lincoln Vista Neighborhood Park Recreation Building

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, 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 Appropriations.

House Bill 776 – Delegates Healey, Lafferty, Hecht, Ali, Beidle, Bobo, Cane, Carr, Frush, Glenn, Holmes, Hucker, Shewell, Sossi, and Stukes

EMERGENCY BILL

AN ACT concerning

Real Property – Foreclosure of Mortgages and Deeds of Trust on Residential Property – Notice to Occupants

FOR the purpose of requiring a certain notice to be sent to a certain address in a certain manner at the time of filing an action to foreclose a mortgage or deed of trust on certain residential property; requiring a certain notice of foreclosure sale to be sent to a certain address in a certain manner a certain period of time

before a foreclosure sale of certain property; requiring a certain notice to be sent to a certain address in a certain manner after the entry of a judgment awarding possession of certain property; requiring certain notices to be in a certain form and contain certain information; requiring certain envelopes to contain a certain statement; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to notices regarding foreclosure actions on residential property.

BY adding to
Article – Real Property
Section 7–105.9
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 777 – Delegates Bromwell, Boteler, DeBoy, Frank, Impallaria, Jennings, Kach, Minnick, Schuler, Tarrant, and Weir

AN ACT concerning

Video Lottery Terminals – Baltimore–Washington International Thurgood Marshall Airport

FOR the purpose of altering the number of video lottery operation licenses and video lottery terminals that may be awarded by the Video Lottery Facility Location Commission to provide for the award of a video lottery operation license at Baltimore–Washington International Thurgood Marshall Airport under certain conditions; providing that a certain restriction on the number of video lottery operation licenses that may be awarded in a county or Baltimore City is not applicable; providing that a bid for a certain video lottery operation license be made by a certain date; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the operation of video lottery terminals at a certain location in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–05(a) and 9–1A–36(f), (g), (h), (i), (j), and (p)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 778 – Delegates King, DeBoy, Gaines, Kipke, Levi, Rice, Schuh, Valderrama, Vaughn, and Walker

AN ACT concerning

Criminal Law – Threat Against Deputy State's Attorney or Assistant State's Attorney

FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a deputy State's Attorney or an assistant State's Attorney; imposing certain penalties; and generally relating to the making of threats against deputy State's Attorneys and assistant State's Attorneys.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–708
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 779 – Delegates Pena–Melnyk, Barnes, Braveboy, Dumais, and Ivey

AN ACT concerning

Family Law – Child Support Enforcement – Criminal Contempt

FOR the purpose of authorizing a local support enforcement office attorney to exercise certain powers and duties to prosecute an action for constructive criminal contempt for failure to pay child support under a court order; and generally relating to child support enforcement.

BY adding to
Article – Family Law
Section 10–116.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 780 – Delegates George, Sossi, and Smigiel

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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 781 – Delegates James, Jennings, McComas, Norman, Riley, and Stifler

AN ACT concerning

Harford County – Property Tax Credit – Seniors

FOR the purpose of authorizing the governing body of Harford County or of a municipal corporation in Harford County to grant, by law, a tax credit against the county or municipal corporation tax imposed on certain real property owned by individuals of at least a certain age and of certain incomes; authorizing the governing body of Harford County or of a municipal corporation in Harford County to provide, by law, for eligibility criteria for the credit, the amount and duration of the credit, certain regulations and procedures, and any other provisions necessary to carry out the credit; providing for the application of this Act; and generally relating to a property tax credit in Harford County for certain real property owned by individuals of at least a certain age.

BY adding to
Article – Tax – Property
Section 9–314(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 782 – Delegates James, Bromwell, Haynes, and Oaks

AN ACT concerning

Nursing Facilities – Accountability Measures – Pay–for–Performance Program

FOR the purpose of requiring the Department of Health and Mental Hygiene to consult with certain individuals to make a certain evaluation on or before a certain date; requiring the Department to make a certain report to the General Assembly on or before a certain date; prohibiting the Department from distributing certain revenues until a certain date or the termination of certain rate reductions; requiring the Department to use certain accountability measures; and generally relating to nursing facilities and accountability measures for a pay–for–performance program.

BY repealing and reenacting, with amendments,
Chapter 503 of the Acts of the General Assembly of 2007, as amended by Chapter 200 of the Acts of the General Assembly of 2008
Section 5

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 783 – Delegates James, Bohanan, and Gaines

AN ACT concerning

Transfer Tax – Program Open Space Bonds – Land Acquisition

FOR the purpose of authorizing the Department of Natural Resources, by resolution of the Secretary of Natural Resources and subject to the approval of the Board of Public Works, to issue certain bonds for the purpose of land acquisition; providing for the use of the proceeds; dedicating certain revenues from the State transfer tax to payment of principal and interest on the bonds; and generally relating to the authority of the Department of Natural Resources to authorize the issuance of Program Open Space bonds.

BY adding to
Article – Natural Resources
Section 5–902.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – Property
Section 13–209(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 784 – Delegates James, Gaines, and Riley

AN ACT concerning

Consolidated Transportation Program – Traffic Congestion Reporting

FOR the purpose of requiring the Department of Transportation to include a report in the annual Consolidated Transportation Program on efforts by the Department and the Maryland Transportation Authority to address traffic congestion; requiring the report to include measures that should be implemented by other State agencies to reduce traffic congestion and enhance mobility throughout the State; requiring the report to include the anticipated effect that new capital projects will have on traffic congestion and mobility in the State; and generally relating to traffic congestion in the State.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1(c)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 785 – Delegates Krysiak, Hammen, Heller, McHale, and Rosenberg

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 not to exceed $200,000, 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, 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 Appropriations.

House Bill 786 – Delegates George, Sossi, and Smigiel

AN ACT concerning

Maryland Transportation Authority – Chesapeake Bay Bridge – Tolls

FOR the purpose of requiring the Maryland Transportation Authority to temporarily stop collecting tolls for the William Preston Lane, Jr. Memorial Bridge

(Chesapeake Bay Bridge) under certain congested traffic conditions; requiring the Authority to resume collecting tolls when certain congested traffic conditions no longer exist; requiring the Authority to take certain action to obtain a necessary modification of a certain trust agreement; and generally relating to a requirement that the Authority stop collecting tolls for the William Preston Lane, Jr. Memorial Bridge under certain traffic conditions.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312(c)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 787 – Delegates Conway, Malone, Beitzel, Cane, DeBoy, Mathias, and Rudolph

AN ACT concerning

Emergency Responders – Death Benefits and Funeral Expenses

FOR the purpose of providing that certain individuals employed as emergency responders are eligible for certain death benefits and funeral expenses; defining certain terms; and generally relating to benefits for emergency responders.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–202
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 788 – Delegates Jones, Anderson, Branch, Bromwell, Burns, DeBoy, Glenn, Haynes, Kirk, Krysiak, Nathan–Pulliam, Oaks, and Robinson

AN ACT concerning

Baltimore City and Baltimore County – Child in Need of Supervision Pilot Program – Extension

FOR the purpose of extending the termination date of the Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County; requiring the Governor to include a certain general fund appropriation in the budget bills for certain fiscal years for a certain purpose; requiring that certain funds be provided as

grants to Baltimore County and Baltimore City for a certain purpose; and generally relating to the Child in Need of Supervision Pilot Program in Baltimore City and Baltimore County.

BY repealing and reenacting, with amendments,
Chapter 601 of the Acts of the General Assembly of 2005
Section 3 and 5

BY repealing and reenacting, without amendments,
Chapter 601 of the Acts of the General Assembly of 2005
Section 4

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

House Bill 789 – Delegates Bohanan, Bartlett, Conway, and Olszewski

AN ACT concerning

Higher Education Funding Model for Maryland Act of 2009

FOR the purpose of setting certain funding, tuition, performance, and financial aid goals for Maryland's higher education system; repealing the requirement that certain scholarship awards supplement certain education benefits; repealing certain State funding goals; requiring certain funding proposals for certain regional higher education centers to be calculated using a certain funding strategy; providing that a program should be developed that promises to cover a certain percent of financial need for certain students; requiring the Maryland Higher Education Commission to develop and update certain accountability measures and benchmarks and to provide the information in a certain format; requiring the Commission to perform a certain analysis prior to the establishment of certain additional higher education centers; authorizing institutions of higher education and the Commission to propose certain projects; requiring the Commission to evaluate certain project proposals; requiring the Commission to conduct certain annual assessments measuring progress toward meeting certain performance and funding goals; requiring certain institutions of higher education to provide certain information under certain circumstances; requiring certain institutions to provide a 10–year capital improvement plan that contains certain information; requiring the Commission to establish a certain committee to review certain reporting requirements; modifying the program approval process for certain programs; exempting certain members of the Maryland National Guard from paying nonresident tuition at public institutions of higher education; reauthorizing the Higher Education Investment Fund; expanding the authorized uses of the Higher Education Investment Fund; establishing a Tuition Stabilization Trust Account in the Higher Education Investment Fund; requiring certain funds to be transferred to the Trust Account under certain circumstances; limiting the authorized use of funds in the Trust Account; authorizing certain institutions to develop certain

pilot 4–year fixed–rate tuition plans for resident undergraduate students; requiring certain institutions to establish a policy for maintaining certain capital assets; requiring the Commission to appoint a certain panel of individuals to outline certain programs and services and to make certain recommendations for supplemental funding for certain institutions; requiring the graduation rate to be used as the primary indicator of undergraduate student performance at certain institutions; requiring certain institutions with doctoral level programs to develop certain strategic plans; requiring the Commission to review and approve certain strategic plans; requiring certain institutions to identify certain doctoral programs for certain targeted efforts; requiring the Commission to appoint a certain panel of individuals to make a determination of certain support and capacity needed for targeted programs; requiring the Governor to appoint a certain panel of advisors to assess progress made toward the comparability and competitiveness of certain institutions; establishing a certain program for students with financial need; requiring the Office of Student Financial Assistance to develop a graduated scale for award amounts of a certain scholarship based on certain criteria; increasing the award amount for a certain scholarship; altering the eligibility requirements for certain scholarships and tuition benefits for Maryland National Guard members; increasing the number of awards of a certain scholarship under certain circumstances; modifying the eligibility requirements of certain scholarship programs; repealing the termination date for certain provisions related to the Dual Enrollment Grant Program; renaming the Dual Enrollment Grant Program as the Early College Access Grant Program; requesting the Department of Budget and Management to study the creation of a capital funding category for research space; requiring the Commission to consider adopting regulations modifying the Guaranteed Access Grant for certain students and to consider developing a single application for certain financial aid programs; requiring the Commission to develop a methodology for estimating certain costs for certain capital needs; requiring the Commission to consider developing a private donation incentive program for facility renewal needs of certain institutions; requiring the Commission to establish a group to examine and recommend best practices for certain higher education centers; requiring the Commission to work with the Governor's Workforce Investment Board to conduct certain studies of employer perceptions; requiring certain institutions to review certain capital priorities and to ensure the alignment with certain institution needs; requesting the Governor to accelerate capital funding for certain institutions and to fund certain other capital projects as planned; stating certain intent regarding certain funding for certain programs; requiring the State Department of Education and the P–20 Leadership Council to establish a certain statewide primary and secondary curriculum and to develop a common definition of college readiness; establishing the Task Force on Linking Public PreK–12 and Higher Education Data; providing for the membership of the Task Force; requiring the Task Force to make certain recommendations; requiring certain reports to the Governor and the General Assembly on or before certain dates; requiring certain reports to certain agencies on or before certain dates; altering certain definitions; defining certain

terms; specifying the distribution of certain corporate income tax revenues; providing for the termination of certain provisions of this Act; and generally relating to the Higher Education Funding Model for Maryland.

BY repealing
Article – Education
Section 18–604(d)
Annotated Code of Maryland
(2008 Replacement Volume)

BY renumbering
Article – Education
Section 18–604(e), (f), (g), (h), (i), (j), and (k), respectively
to be Section 18–604(d), (e), (f), (g), (h), (i), and (j), respectively
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 10–203, 11–105(b), (f)(1), (h), and (i), 11–206.1(b)(1) and (2), (c) and (e), 15–106.4, 15–106.6, 18–304, 18–601(a), 18–604(c), 18–1101, 18–1102(a) through (c), 18–1103, 18–1106; 18–14A–01 through 18–14A–03 to be under the amended subtitle "Subtitle 14A. Early College Access Grant Program"; and 18–1502(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 11–105(a), 18–604(b), and 18–1502(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 11–106(c), 15–106.7, 15–112 through 15–115, and 18–303.2
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 13–405(a)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 13–405(b)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–613.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 296 of the Acts of the General Assembly of 2007
Section 3

BY repealing and reenacting, with amendments,
Chapter 297 of the Acts of the General Assembly of 2007
Section 3

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 790 – Delegates Ivey, Braveboy, Davis, Glenn, Pena–Melnyk, and Walker

AN ACT concerning

County and Municipal Corporation Authority – Business Improvement Districts

FOR the purpose of authorizing the governing body of a county or municipal corporation to establish certain business improvement districts; requiring a county or municipal corporation to establish a certain business improvement district steering committee if a certain number of property owners petition the governing body; requiring the governing body of a county or municipal corporation to provide for the creation of a district plan with certain elements; requiring the district plan to include certain elements; requiring the steering committee to hold a certain public hearing to consider certain elements of the district plan; requiring the governing body of a county or municipal corporation to establish a business improvement district if a certain number of property owners in the proposed district approve of the plan; providing that the governing body of a county or municipal corporation may not reduce certain services within the business improvement district; requiring a law establishing a business improvement district to contain certain elements and create a business improvement district association with certain powers; requiring that a business improvement district be reviewed and reauthorized at least every 4 years; authorizing a business improvement district management association to issue bonds for certain purposes of the business improvement district; providing

that the bonds may not be considered a debt or obligation of a county, the State, or a political subdivision of the State unless approved by referendum; providing for the repayment of the bonds from certain revenues; authorizing a business improvement district management association to approve all terms regarding the issuance of the bonds; providing that the transfer of, interest on, and income derived from the bonds is exempt from State and local taxes; and generally relating to certain authority for a county or municipal corporation to create and establish business improvement districts.

BY adding to
Article – Economic Development
Section 12–401 through 12–405 to be under the new subtitle "Subtitle 4. Business Improvement Districts"
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 791 – Delegates Bronrott, Anderson, Barkley, Barnes, Bobo, Braveboy, Burns, Carr, Dumais, Feldman, Gaines, Guzzone, Haynes, Hecht, Hucker, Ivey, Kullen, Lee, Levi, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ross, Tarrant, Taylor, V. Turner, and Waldstreicher

AN ACT concerning

Alcoholic Beverage Tax – Increase and Distribution of Funds

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 certain special funds to be used only for certain purposes; establishing the Developmental Disability Support Fund as a special fund to be used to support certain services for individuals with developmental disability; establishing the Addiction Treatment and Prevention Fund as a special fund to be used to support certain programs for the treatment and prevention of drug and alcohol addictions; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–301 and 5–105
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General

Section 7–208 and 8–207
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

House Bill 792 – Delegates Rice, Ali, Barkley, Cane, Glenn, Howard, Hucker, Kaiser, Lee, Levi, Manno, Montgomery, Olszewski, Pena–Melnyk, Reznik, Schuler, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Education – Collective Bargaining – Topics of Negotiation

FOR the purpose of including the discipline and discharge of an employee for just cause and employee transfers and assignments among the matters a public school employer must meet and negotiate with a certain employee organization on request; repealing the public school employer's authority to negotiate due process for discipline and discharge with a certain employee organization under certain circumstances; and generally relating to collective bargaining for public school employees.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–501
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–510
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 793 – Delegates Rice, Ali, Barkley, Bronrott, Carr, Feldman, Frick, Gilchrist, Guzzone, Ivey, King, Manno, Montgomery, Olszewski, Reznik, Stifler, Stukes, Taylor, F. Turner, Valderrama, and Walker

AN ACT concerning

Task Force on Classroom Indoor Air Quality Standards

FOR the purpose of establishing a Task Force on Classroom Indoor Air Quality Standards; establishing the membership and staffing of the Task Force;

providing for the designation of the chair of the Task Force; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a certain report to the Governor and the General Assembly by a certain date; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on Classroom Indoor Air Quality Standards.

Read the first time and referred to the Committee on Ways and Means.

House Bill 794 – Delegates Impallaria, Boteler, and McDonough

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Courts – Death Penalty Court

FOR the purpose of authorizing the General Assembly to create a Death Penalty Court that shall have original and exclusive jurisdiction over all presentments or indictments for offenses punishable by death; vesting the judicial power of the State in the Death Penalty Court as the General Assembly may create by law; providing that the judges of the Death Penalty Court that may be created may not be elected in a certain manner; requiring certain presentments or indictments to be transmitted to the Death Penalty Court that may be created; requiring the Attorney General to prosecute certain presentments or indictments pending in the Death Penalty Court that may be created; 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 1, 3, and 8(b)

BY proposing an addition to the Maryland Constitution
Article IV – Judiciary Department
Section 27 to be under the new part "Part IV – Death Penalty Court"

BY proposing an amendment to the Maryland Constitution
Article V – Attorney–General and State's Attorneys
Section 3(a)

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

House Bill 795 – Delegates Impallaria, Aumann, Boteler, Bromwell, McDonough, Olszewski, Schuler, and Weir

AN ACT concerning

Baltimore County – Property Tax Credit – Loreley Beach Community Association

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county tax imposed on real property that is owned by Loreley Beach Community Association; providing for the application of this Act; and generally relating to a property tax credit in Baltimore County for Loreley Beach Community Association.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 796 – Delegates Walker and Vaughn

AN ACT concerning

Agriculture – Emerald Ash Borer Grant Fund

FOR the purpose of establishing the Emerald Ash Borer Grant 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 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 money to be deposited into the Fund; requiring the Governor to appropriate to the Fund a certain amount each fiscal year; defining certain terms; and generally relating to the Emerald Ash Borer Grant Fund.

BY adding to
Article – Agriculture
Section 2–1501 to be under the new subtitle "Subtitle 15. Emerald Ash Borer Grant Fund"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 797 – Delegates Hecht, Bronrott, Carr, Howard, Riley, and Robinson

AN ACT concerning

Consumer Protection – Damages for Violations of the Maryland Consumer Protection Act

FOR the purpose of authorizing a court to award certain statutory damages and treble damages under certain circumstances to a person who is injured by a violation of the Maryland Consumer Protection Act; making a stylistic change; and generally relating to damages for violations of the Maryland Consumer Protection Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–408
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 798 – Delegates Haddaway and Eckardt

AN ACT concerning

Real Property – Residential Mortgages and Deeds of Trust – Recordation and Foreclosure

FOR the purpose of altering the definition of "residential property" for purposes of certain residential property foreclosure procedures and certain provisions concerning the recordation of an instrument securing a mortgage loan on residential property; clarifying the application of a certain provision concerning a mortgagor's or grantor's right to cure a default before a foreclosure sale; and generally relating to foreclosure procedures and recording instruments in the land records.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–104.1 and 7–105.1(a) and (h)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(b) and (c)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 799 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Horse Racing – Satellite Simulcast Betting – Instant Racing

FOR the purpose of broadening the scope of satellite simulcast betting on horse races to include instant racing; specifying that instant racing involves a bettor viewing a self–serve totalizator machine that displays a previously run horse race in digitalized form and certain information before and after the race; and generally relating to pari–mutuel betting on horse races.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–815
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 800 – Delegate Hucker

AN ACT concerning

Natural Resources – Roadside Trees – Protection and Enforcement

FOR the purpose of authorizing a county or municipality to adopt a local law or ordinance relating to roadside trees under certain circumstances; authorizing a county or municipality to issue a stop work order under certain circumstances; authorizing the Department of Natural Resources to authorize a county or municipality to enforce certain provisions of law under certain circumstances; prohibiting a county or municipality from issuing a building permit under certain circumstances; establishing certain penalties for certain violations; requiring the State Highway Administration to include a certain requirement relating to roadside trees in certain contracts; making stylistic changes; and generally relating to the protection of roadside trees.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–401 and 5–402
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 5–403, 5–404, and 5–406
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–614
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 801 – Delegate McDonough

AN ACT concerning

Task Force to Study the Economic Impact of Environmental Legislation and Policy

FOR the purpose of establishing a Task Force to Study the Economic Impact of Environmental Legislation and Policy; providing for the membership, selection of the chair, and 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 findings 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 the economic impact of environmental legislation and policy.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 802 – Delegate McDonough

AN ACT concerning

Public Institutions of Higher Education – Resident Tuition – Determinations of Eligibility for Illegal Immigrants

FOR the purpose of prohibiting certain public institutions of higher education from determining certain individuals are eligible for the resident tuition rate until the institution has made a certain determination regarding the admission applications of certain individuals during a certain period of time; requiring the governing board of each public institution of higher education to adopt certain policies; and generally relating to eligibility determinations for tuition charges for certain individuals attending public institutions of higher education.

BY adding to

Article – Education
Section 15–106.7
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 803 – Delegate Beitzel

AN ACT concerning

Garrett County – Code of Ordinances – Natural Gas

FOR the purpose of altering the amount of a certain Garrett County tax; requiring the tax to be distributed in certain amounts to the county and certain municipalities; repealing certain provisions creating a Garrett County Natural Gas Fund; and generally relating to natural gas distribution and production in Garrett County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 51.02(A)
Article 12 – Public Local Laws of Maryland
(2005 Edition and 2008 Supplement, as amended)

BY repealing
The Public Local Laws of Garrett County
Section 51.08
Article 12 – Public Local Laws of Maryland
(2005 Edition and 2008 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

House Bill 804 – Delegates King and Love

AN ACT concerning

Environment – Coal Combustion By–Product Disposal Facilities

FOR the purpose of requiring certain permits to be issued in accordance with certain requirements; prohibiting the installation, alteration, or extension of a coal combustion by–product disposal facility without a certain permit; requiring an applicant for a certain permit to submit certain information to the Secretary of the Environment; authorizing the Secretary to deny a certain permit based on the results of certain tests; requiring an applicant for a certain permit to send notice of the application to certain persons; requiring an applicant for a certain permit to post certain notices; requiring a certain meeting to be held in a certain

location; requiring the Department of the Environment to establish the format for certain required signs; requiring a certain sign to be posted for a certain number of days; requiring an applicant for a certain facility to send notice of certain meetings and hearings to certain persons; authorizing the Department to consolidate certain meetings and hearings; prohibiting the Secretary from issuing a certain permit until certain requirements are satisfied; prohibiting the operation of a certain facility without a certain permit; requiring an applicant for a certain facility to conduct a certain study, submit plans for certain monitoring systems, and submit plans for reporting certain air and groundwater conditions; requiring a person who operates a certain facility to submit certain reports regarding air and groundwater monitoring data to certain persons; requiring all required testing and monitoring to be performed by a laboratory accredited by a certain organization; prohibiting the Secretary from issuing a permit for a certain facility if coal combustion by–products will be placed within a certain distance of an adjacent property; requiring an applicant for a certain facility to file a certain bond payable to the State; establishing the minimum amount of a certain required bond; prohibiting the release of a certain bond for a certain period of time; increasing the amount of the bond required for certain mining operations under certain circumstances; requiring the Department to ensure that the amount of a certain bond is sufficient to ensure compliance with federal and State environmental laws; making stylistic changes; defining certain terms; and generally relating to the disposal of coal combustion by–products.

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–601, 9–204(a), (c), (d), (e), (f), and (h), 9–204.2, 9–209, 9–210(a), and 15–823(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 1–602, 9–201(a), 9–210(b), and 15–823(a) and (c)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 9–201(a–1) and (a–2) and 9–210.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 805 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

FOR the purpose of authorizing only the treasurer of a campaign finance entity to make a disbursement by debit card from a campaign account; authorizing the treasurer of a campaign finance entity to reimburse a person by debit card disbursement to pay an expense of the campaign finance entity; authorizing the treasurer of a campaign finance entity to replenish a petty cash fund by debit card disbursement; and generally relating to debit card disbursements by the treasurer of a campaign finance entity.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–218
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–219 and 13–220
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 806 – Delegate Heller

AN ACT concerning

Property Tax – Homestead Credit for Seniors with Two Homes

FOR the purpose of extending eligibility for the homestead property tax credit to a second home for certain homeowners under certain circumstances; establishing the homestead credit at a certain percentage for the second home; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(d)(3)
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(d)(7)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 807 – Delegate Heller

AN ACT concerning

Homeowners' Property Tax Credit and Renters' Property Tax Credit Programs

FOR the purpose of excluding the income of a caretaker relative of a renter from combined income for purposes of property tax relief to certain renters; excluding the income of a caretaker relative of a homeowner for purposes of property tax relief to certain homeowners; altering the definition of "gross income" for purposes of the Homeowners' Property Tax Credit and Renters' Property Tax Credit; providing for the application of this Act; and generally relating to renters' property tax credit and homeowners' property tax credit programs.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–102(a)(4) and (6)(i) and 9–104(a)(3) and (8)(i)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 808 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Government – Maryland Tort Claims Act – Malice or Gross Negligence

FOR the purpose of providing that claims filed against State personnel individually for any malicious or grossly negligent tortious act or omission of the State personnel are subject to the restrictions placed on filing a claim under the Maryland Tort Claims Act; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 5–522(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–106
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 809 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Debt – Annuity Bond Fund – Payment of Fiscal Agents

FOR the purpose of requiring the Comptroller to credit to the Annuity Bond Fund certain money appropriated in the State budget to pay the costs of certain fiscal agents and contracting parties appointed by the State Treasurer in connection with certain financial transactions; authorizing the Comptroller to use certain money to pay the cost of certain fiscal agents and contracting parties; and generally relating to certain money appropriated to the Annuity Bond Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–132
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 810 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Income Tax – Mandatory Income Tax Return Preparer Requirements

FOR the purpose of requiring certain income tax return preparers under certain circumstances to file certain income tax returns by electronic means as prescribed by the Comptroller; imposing certain penalties for certain violations; exempting certain returns and providing for certain waivers under certain circumstances; defining certain terms; providing for the application of this Act;

and generally relating to mandatory electronic filing of certain income tax returns by certain income tax return preparers under certain circumstances.

BY adding to
Article – Tax – General
Section 10–824 and 13–717
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 811 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Treasurer – Local Government Units – Local Debt Policies

FOR the purpose of requiring a certain report of the financial officer of a political subdivision to be submitted to the State Treasurer; requiring certain additional information to be included in the report; requiring certain financial officers to submit a certain updated report on request of the State Treasurer; repealing a requirement that certain local government investment guidelines include a certain form; requiring each local government unit to adopt a certain local debt policy; requiring a copy of the policy to be mailed to the State Treasurer; requiring the State Treasurer to send a certain notice if the State Treasurer makes certain findings regarding the policy; requiring a certain local governing body to revise the policy under certain circumstances; requiring a local governing body to submit a certain revised policy under certain circumstances; requiring the State Treasurer to contact a certain local government if certain requirements are not met; requiring certain financial officers to provide certain information requested by the State Treasurer; altering certain definitions; defining certain terms; repealing obsolete language; making stylistic changes; making technical corrections; and generally relating to local debt policies of local government units.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 2–101
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 95 – Treasurer
Section 22F
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

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

House Bill 812 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Data Warehouse – Agency Data Sharing

FOR the purpose of authorizing the Comptroller to request certain information and assistance from certain agencies; requiring certain agencies under certain circumstances to provide certain information to the Comptroller in a certain manner for tax administration purposes; defining certain terms; and generally relating to the transfer of certain information from certain agencies to the Comptroller for the purpose of enforcement of tax laws.

BY adding to
Article – Tax – General
Section 13–804.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 813 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Checks – Electronic Publication of Payee Names

FOR the purpose of authorizing the Treasurer of the State to electronically publish the names of certain payees under certain circumstances for a certain period of time; and generally relating to electronic publication of payee names and the Undeliverable Checks Fund.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–229
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 814 – Delegates Hucker, Feldman, and Manno

AN ACT concerning

Maryland Energy Administration – Green Jobs Workforce Training Program

FOR the purpose of establishing the Green Jobs Workforce Training Program; requiring the Maryland Energy Administration to administer the Program; requiring the Administration to consult regularly with the Governor's Workforce Investment Board, the Maryland Clean Energy Center, and the Department of Business and Economic Development concerning the activities of the Program; stating the purpose of the Program; authorizing the Administration to award a grant to a certain person or governmental unit; requiring the Administration to establish eligibility criteria for workforce training programs that may receive funding under this Act; establishing the Green Jobs Workforce Training Fund as a special, nonlapsing fund; providing for the purposes of the Fund; requiring the Administration to administer the Fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the contents of the Fund; providing for the use of the Fund; providing for the investment of money in the Fund; defining certain terms; and generally relating to the Green Jobs Workforce Training Program.

BY adding to
Article – State Government
Section 9–2101 through 9–2106 to be under the new subtitle "Subtitle 21. Green Jobs Workforce Training Program"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 815 – Delegates Beitzel and Hammen

AN ACT concerning

Medical Malpractice Liability Insurance – Garrett County Memorial Hospital – Subsidy for Practitioners Who Perform Obstetrical Services – Extension

FOR the purpose of requiring that, after a certain fiscal year, disbursements be made from the Medical Assistance Program Account of the Maryland Health Care Provider Rate Stabilization Fund to provide a certain subsidy for medical professional liability insurance policies issued to family practitioners who have staff privileges at Garrett County Memorial Hospital and who also provide obstetrical services at the hospital; altering the order of preference for distribution from the Fund; requiring that, after a certain fiscal year, disbursements from the Medical Assistance Program Account be used by the Secretary of Health and Mental Hygiene to pay certain subsidies; requiring the Secretary to establish a certain procedure by regulation; and generally relating

to a subsidy for medical professional liability insurance policies issued to family practitioners in Garrett County who also provide obstetrical services in Garrett County.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 19–802(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–802(g), 19–804(a), and 19–807(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

House Bill 816 – Delegates Carr, Barkley, Beidle, Bronrott, Frush, Gilchrist, Haynes, Hucker, Kaiser, Lafferty, Levy, Montgomery, Morhaim, Schuh, Schuler, Shewell, Stein, Stull, Waldstreicher, and Walker

AN ACT concerning

Marilyn J. Praisner Safe and Earth–Friendly Roadway Act

FOR the purpose of authorizing the State Highway Administration or a political subdivision to install or replace a certain luminaire for highway lighting only if it determines that the concerns to be addressed by the lighting cannot be addressed by certain alternative means; authorizing the Administration, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new luminaire that meets certain requirements; authorizing the Administration, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting with a new luminaire with a certain output only if the new luminaire is of a certain type; authorizing the Administration or a political subdivision to waive a certain requirement for luminaires for highway lighting for certain reasons; requiring the Administration or a political subdivision to document certain information in writing for each waiver granted; requiring an electric company to provide certain written notice to the Administration or a political subdivision by a certain date to obtain a waiver authorized under this Act; requiring an electric company's written notice to include certain information; defining certain terms; and generally relating to highway lighting.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies

Section 1–101(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 1–101(a) and (k) and 8–101(a), (b), (g), (i), and (q)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Transportation
Section 8–609.2
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 817 – Delegate Carr

AN ACT concerning

Vehicle Laws – All–Terrain Vehicles – Safety Standards and Training

FOR the purpose of requiring the Emergency Medical Services (EMS) Board, in accordance with certain provisions of this Act, to establish criteria for all–terrain vehicle safety programs, approve qualifying programs, and adopt certain regulations; prohibiting individuals under a certain age from operating or riding on an all–terrain vehicle; establishing certain prohibitions related to the operation of all–terrain vehicles of certain sizes by individuals of certain ages; prohibiting an individual under a certain age from operating an all–terrain vehicle unless certain requirements related to all–terrain vehicle safety training are met; prohibiting an individual who is not an experienced all–terrain vehicle operator by a certain date from operating an all–terrain vehicle unless certain requirements related to all–terrain vehicle safety training are met; prohibiting an individual who is an experienced all–terrain vehicle operator by a certain date from operating an all–terrain vehicle unless certain requirements related to all–terrain vehicle safety training are met or unless the individual carries a certain card certifying that the individual is an experienced all–terrain vehicle operator; providing that a passenger may ride only on an all–terrain vehicle that is intended by the manufacturer for use by an operator and a passenger; providing that no more than one passenger may ride on an all–terrain vehicle; defining certain terms; and generally relating to safety standards and training for all–terrain vehicles.

BY adding to
Article – Education

Section 13–518
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Transportation
Section 21–1213
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 818 – Delegate Morhaim

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Wellness

FOR the purpose of requiring the Secretary of Budget and Management to designate a wellness coordinator to create and develop a certain wellness program; authorizing the wellness program to include certain initiatives; requiring the wellness coordinator to take certain actions; requiring each State agency to designate an employee to serve as a wellness liaison; authorizing the Department to seek, through a request for proposals, a certain wellness program; requiring the Secretary to submit a certain report to the Governor and the General Assembly at a certain time; and generally relating to wellness programs for State employees and retirees in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 1–101(f) and (m) and 2–501
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 2–502.2 and 2–506
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 819 – The Speaker (By Request – Administration) and Delegates Glenn, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Bohanan, Branch, Braveboy, Bromwell, Bronrott, Burns, Cane, Cardin, Carr, Carter, G. Clagett, V. Clagett, Conaway, DeBoy, Doory, Dumais,

Feldman, Frush, Gaines, Gilchrist, Griffith, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, James, Jones, Kaiser, Kelly, Kirk, Kramer, Kullen, Lafferty, Lee, Levi, Love, Malone, Manno, McConkey, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Reznik, Rice, Riley, Robinson, Rosenberg, Ross, Schuler, Stein, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, and Waldstreicher

AN ACT concerning

Workplace Fraud Act of 2009

FOR the purpose of prohibiting certain employers from failing to properly classify individuals who perform work for remuneration paid by the employer; authorizing the Commissioner of Labor and Industry to initiate an investigation under certain circumstances to determine whether certain violations occurred; requiring the Commissioner to enforce certain provisions; establishing the method of determining whether an employer–employee relationship exists for purposes of proper classification under certain circumstances; establishing certain presumptions; prohibiting certain employers from knowingly failing to properly classify individuals who perform work for remuneration paid by the employer; providing certain criteria to be used to determine whether a violation is knowing; requiring the Commissioner to make certain investigations; providing for the confidentiality of certain complaints or statements; authorizing the Commissioner to enter a place of business under certain circumstances and to require certain employers to take certain actions; authorizing the Commissioner to issue a subpoena under certain circumstances and to file a complaint in circuit court under certain circumstances; requiring the Commissioner to issue a citation under certain circumstances; requiring the Commissioner to grant an employer's request for a hearing conducted by the Office of Administrative Hearings to contest a citation; providing for certain penalties for certain violations of this Act; requiring an employer to come into compliance with certain laws; requiring the Commissioner to provide notice of potential violations of this Act to the Workers' Compensation Commission, the Office of Unemployment Insurance, the Insurance Administration, and the Comptroller's Office under certain circumstances; requiring cooperation under this Act by certain units of State government; authorizing certain individuals who have not been properly classified as employees to bring a civil action for damages against an employer; requiring that a civil action be filed within a certain time period; requiring a court to award an individual or class of individuals certain costs and relief under certain circumstances; prohibiting an employer from discriminating against a person under certain circumstances; prohibiting a person from making certain complaints to the Commissioner; authorizing certain individuals to submit certain complaints alleging discrimination; authorizing the Commissioner to investigate certain complaints

and file certain complaints in certain circuit courts; requiring the Commissioner to notify a public body of a citation issued for certain violations by an employer; requiring the public body, on notification, to withhold payment to an employer in a certain amount; requiring the Commissioner to file with the Secretary of State, the Department of Budget and Management, and the Department of General Services a list of certain violators of this Act; authorizing an employer to request a review by the Secretary of Labor, Licensing, and Regulation of the decision to place the employer on the list; prohibiting certain employers from entering into a contract with a public body under certain circumstances; requiring certain employers to retain certain records for a certain period of time; requiring certain employers to provide certain individuals notice of their status and classification; prohibiting a person from incorporating or assisting in the incorporation of certain entities for the purposes of facilitating or evading detection of a violation of this Act; prohibiting certain persons from conspiring with, aiding and abetting, assisting, advising, or facilitating another person with violating this Act; establishing certain civil and administrative penalties under this Act and other laws under the jurisdiction of the Commissioner; requiring certain penalties to be paid into the General Fund of the State; requiring the Commissioner to prepare certain reports; requiring the Commissioner to adopt regulations to carry out certain provisions of this Act; establishing certain unemployment insurance penalties for employers that misclassify employees in violation of this Act; authorizing the Secretary of Labor, Licensing, and Regulation to adopt certain regulations; creating certain presumptions under the unemployment insurance law and workers' compensation law; prohibiting an employer from misclassifying an employee as an independent contractor for purposes of workers' compensation; authorizing the Workers' Compensation Commission to order certain remedies if an employer misclassifies an employee; authorizing the Workers' Compensation Commission to adopt certain regulations; defining certain terms; providing for certain funding; making certain provisions of this Act severable; and generally relating to the failure to properly classify an individual as an employee.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 2–107(g)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–101
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–102(a), 3–103, 3–104, 8–201, 8–628, and 9–202

Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 3–901 through 3–919 to be under the new subtitle "Subtitle 9. Workplace Fraud"; 8–201.1 and 9–402.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 820 – Montgomery County Delegation

AN ACT concerning

Montgomery County Employees – Property, Recordation, and Transfer Taxes

MC 932–09

FOR the purpose of authorizing the governing body of Montgomery County to grant, by law, a tax credit against the county property tax imposed on certain owner–occupied residential real property purchased by certain individuals after a certain date; authorizing Montgomery County to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; authorizing the governing body of Montgomery County to grant, by law, a recordation tax exemption for transfers of residential real property to certain individuals; authorizing Montgomery County to provide, by law, for certain other provisions to carry out the exemption; authorizing the governing body of Montgomery County to provide, by law, an exemption from the Montgomery County transfer tax for the sale of certain property to certain individuals; defining certain terms; providing for a technical correction; and generally relating to property, recordation, and transfer taxes.

BY adding to
Article – Tax – Property
Section 9–317(f) and 12–119
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
The Public Local Laws of Montgomery County
Section 52–20(a)
Article 16 – Public Local Laws of Maryland
(2004 Edition and December 2008 Supplement, as amended)

BY adding to

The Public Local Laws of Montgomery County
Section 52–20(f)
Article 16 – Public Local Laws of Maryland
(2004 Edition and December 2008 Supplement, as amended)

Read the first time and referred to the Committee on Ways and Means.

House Bill 821 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – Corporate Training Center License

MC 902–09

FOR the purpose of establishing in Montgomery County a Special Class B – Corporate Training Center beer, wine and liquor license; authorizing the Board of License Commissioners to issue the license for use in a certain corporate headquarters support facility; specifying that sales of alcoholic beverages under the license are for on–premises consumption; setting a certain annual license fee; and generally relating to a Special Class B – Corporate Training Center beer, wine and liquor license in Montgomery County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–216.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 822 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Railroad Grade Crossings – Automated Enforcement Systems

MC 907–09

FOR the purpose of making certain provisions of law relating to automated railroad grade crossing enforcement systems at railroad grade crossings applicable to Montgomery County; authorizing certain law enforcement agencies in Montgomery County to mail a citation within a certain period of time to the owner of a motor vehicle that is recorded in Montgomery County by an automated railroad grade crossing enforcement system while in violation of

certain laws regarding railroad grade crossings; requiring the Chief Judge of the District Court, in consultation with local law enforcement agencies in Montgomery County, to adopt procedures for certain purposes; expanding the jurisdiction of the District Court; altering a certain definition; and generally relating to imposition of liability on the owner of a motor vehicle recorded in Montgomery County by an automated railroad grade crossing enforcement system violating certain laws regarding railroad grade crossings.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167 and 11–168
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County Revenue Authority – Local Government Tort Claims Act

MC 917–09

FOR the purpose of altering the definition of a "local government" under the Local Government Tort Claims Act to include the Montgomery County Revenue Authority; and generally relating to the inclusion of the Montgomery County Revenue Authority under the Local Government Tort Claims Act.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–301(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 824 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Recordation Tax – Indemnity Mortgages

MC 926–09

FOR the purpose of providing that, for purposes of the recordation tax in Montgomery County, 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 in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–105(f)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 825 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Regulation of Campaign Finance Disclosure

MC 913–09

FOR the purpose of authorizing the governing body of Montgomery County to enact laws to regulate campaign finance disclosure for certain officeholders in Montgomery County and candidates for election to certain offices; specifying certain provisions that may be included in certain laws enacted to regulate campaign finance disclosure; and generally relating to the regulation of

campaign finance disclosure by Montgomery County officeholders and candidates.

BY adding to
Article – Election Law
Section 13–502.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 826 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Speed Camera Fairness Act

MC 912–09

FOR the purpose of prohibiting a contractor's fee from being contingent on the number of citations issued or paid if the contractor provides services or equipment relating to the installation, operation, maintenance, or repair of a speed monitoring system, the issuance or processing of a citation, or the collection or enforcement of a penalty for a certain violation recorded by a speed monitoring system; and generally relating to speed monitoring systems in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–809(a)(5) and (6)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 827 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation by Adults of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program

MC 920–09

FOR the purpose of authorizing the Montgomery County Council or the governing body of a municipal corporation in Montgomery County to enact a local law to require an adult or an adult representative of certain organizations to obtain a certain permit before standing in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle; prohibiting an adult from standing, or causing, encouraging, allowing, or petitioning a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle, if a certain permit is required under a local law enacted under this Act and the permit has not been obtained in accordance with the local law; defining a certain term; and generally relating to the solicitation of money from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 828 – Montgomery County Delegation

AN ACT concerning

Montgomery County – No So–Called Sexual Stimulant Pills For Kids Act

MC 908–09

FOR the purpose of prohibiting in Montgomery County the sale or offer for sale to minors of products labeled and marketed as sexual stimulant pills, with a certain exception; requiring retailers in Montgomery County to display and store certain products in a certain manner; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; establishing certain penalties; and generally relating to the sale of products marketed as sexual stimulant pills in Montgomery County.

BY adding to
Article – Health – General
Section 24–304
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 829 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Law Enforcement Officer Issued Electronic Weapon – Provision of Automated External Defibrillator

MC 909–09

FOR the purpose of requiring that, in Montgomery County, a law enforcement officer who has been issued an electronic weapon also be provided an automated external defibrillator and training in the operation and use of the defibrillator; defining certain terms; and generally relating to law enforcement officers in Montgomery County.

BY adding to
Article – Public Safety
Section 3–507
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 830 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Just Cause Eviction

MC 918–09

FOR the purpose of authorizing Montgomery County and municipal corporations in Montgomery County to recognize and declare that the eviction of tenants from residential rental units without just cause is unlawful; requiring the county and municipal corporations to make certain findings prior to making a certain declaration under this Act; authorizing the county and municipal corporations, upon making a certain declaration, to enact a local law to prohibit a landlord from evicting certain tenants in the absence of just cause; specifying when just cause exists for purposes of this Act; providing that a local law enacted under this Act may not prohibit a landlord from adjusting rent in accordance with local law; and generally relating to rental housing and the eviction of residential tenants in Montgomery County.

BY adding to

Article – Real Property
Section 8–215
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 831 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Steel Jaw Leghold or Body–Gripping Traps – Prohibition

MC 922–09

FOR the purpose of expanding the application of the prohibition against the use, setting, placement, or maintenance of a steel jaw leghold or body–gripping trap in Montgomery County; making a certain technical correction; making a stylistic change; and generally relating to the steel jaw leghold or body–gripping trap prohibition in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(o)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Natural Resources
Section 10–410(o–1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 832 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Income Tax – Biotechnology Investment Credit

MC 921–09

FOR the purpose of authorizing Montgomery County to allow, by law, an individual to claim a credit against the county income tax for certain investments in certain qualified Maryland biotechnology companies; requiring the governing body of

Montgomery County to specify the qualifications for eligibility, the conditions of certification, and the process of application for the credit and to provide for the amount of the credit; authorizing the county to limit the credit to only investments in companies located in the county; authorizing the county to cap the amount of credits issued for any taxable year; authorizing the county to make the credit refundable; authorizing the county to provide for the recapture of the credit; requiring the county to notify the Comptroller if the credit is authorized; providing for the application of this Act; and generally relating to the authority of Montgomery County to authorize a credit against the county income tax for investments in certain biotechnology companies.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 833 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Montgomery County Agricultural Fair

MC 928–09

FOR the purpose of authorizing the Office of the Comptroller to issue a winery special event permit to certain limited wineries for use during the entire length of the Montgomery County Agricultural Fair; and generally relating to the use of winery special event permits in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 834 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Solicitation of Money or Donations from Occupants of Vehicles – Prohibitions and Exceptions

MC 927–09

FOR the purpose of prohibiting, in Montgomery County, an adult from standing, or causing, encouraging, allowing, or petitioning a person to stand, in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle, subject to a certain exception; authorizing the Montgomery County Council or the governing body of a municipal corporation in Montgomery County to enact a certain permit program to allow adults and adult representatives of certain organizations to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; requiring a local law authorized under this Act to include a requirement that an applicant for a certain permit submit proof of a certain safety plan; requiring a certain local law to provide that a permit issued under this Act only be effective for a certain time period; defining a certain term; and generally relating to the solicitation of money from occupants of vehicles in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 835 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Kensington – Expansion of Area for Alcoholic Beverages Licenses

MC 934–09

FOR the purpose of expanding the commercial area in the Town of Kensington in which the Montgomery County Board of License Commissioners may issue certain alcoholic beverages licenses for restaurants; specifying a certain time after which alcoholic beverages may not be served in a certain area; specifying a certain minimum seating capacity for licensed restaurants; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–216(a)(2)(iv)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 836 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Income Tax – Organic Agriculture Investment Credit

MC 933–09

FOR the purpose of authorizing Montgomery County to allow, by law, an individual to claim a credit against the county income tax for certain investments in organic agriculture companies as defined by the governing body of Montgomery County; requiring the governing body of Montgomery County to specify the qualifications for eligibility, the conditions of certification, and the process of application for the credit and to provide for the amount of the credit; authorizing the county to limit the credit only to investments in companies located in the county; authorizing the county to cap the amount of credits issued for any taxable year; authorizing the county to make the credit refundable; authorizing the county to provide for the recapture of the credit; requiring the county to notify the Comptroller if the credit is authorized; providing for the application of this Act; and generally relating to the authority of Montgomery County to authorize a credit against the county income tax for investments in organic agriculture companies.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 837 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Speed Monitoring Systems – Use by Designated Agencies in Municipal Corporations

MC 929–09

FOR the purpose of altering a certain definition, thereby authorizing a municipal corporation in Montgomery County that does not maintain a police department to establish or designate a person to enforce certain speed restrictions by using certain speed monitoring systems in a certain manner; making certain

conforming changes; and generally relating to the use of speed monitoring systems in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 838 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Property Tax – Classes of Property and Special Rates

MC 906–09

FOR the purpose of authorizing the governing body of Montgomery 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 in Montgomery County is imposed only on assessments made under certain provisions of law; authorizing the governing body of Montgomery County to set special rates for any class of property that is subject to the county property tax, subject to a certain requirement; providing a certain exception to certain requirements regarding property tax rates in Montgomery County; repealing certain obsolete provisions of law; making a technical correction; providing for the application of this Act; and generally relating to authority for Montgomery County to select certain classes of property and set certain special tax rates for purposes of the county property tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–302
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – Property
Section 6–309
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 839 – Delegates Carter, Oaks, Anderson, Conaway, Robinson, Rosenberg, and Tarrant

AN ACT concerning

Program Open Space – Baltimore City – Authorized Use of Funds

FOR the purpose of authorizing Baltimore City to use certain Program Open Space funds to acquire certain undeveloped property in conjunction with a nonprofit organization; and generally relating to authorized uses of Program Open Space funding in Baltimore City.

BY adding to
Article – Natural Resources
Section 5–911
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 840 – Delegates Carter and Oaks

AN ACT concerning

Maryland Health Care Commission – Certificates of Need – Extension

FOR the purpose of requiring the Maryland Health Care Commission to grant an extension of time under certain circumstances to a certain person holding a certificate of need; requiring the Commission to renew the extension of time for the certificate of need under certain circumstances; and generally relating to certificates of need.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–120(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 841 – Montgomery County Delegation

AN ACT concerning

Montgomery County Public Schools – Funding Accountability and Transparency Act

MC 930–09

FOR the purpose of requiring the Montgomery County Board of Education to develop and operate a certain website that includes certain information about certain payments; specifying certain parameters of the website; defining certain terms; and generally relating to the development and operation of a searchable website by the Montgomery County Board of Education.

BY adding to
Article – Education
Section 5–115
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 842 – Delegates Carter, Ali, Nathan–Pulliam, Rice, Riley, Stukes, and Taylor

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Required Approval – Acquisition of Generation Facility

FOR the purpose of prohibiting a person, without prior approval of the Public Service Commission, from acquiring a generation facility or acquiring an ownership interest in a generation facility in the State under certain circumstances; providing for the application of this Act; making this Act an emergency measure; and generally relating to the approval of the Commission prior to the acquisition of a generation facility.

BY adding to
Article – Public Utility Companies
Section 6–105.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 843 – Delegates Love, Cardin, Costa, Kipke, Lafferty, Montgomery, Simmons, and Stein

AN ACT concerning

Continuing Care Retirement Communities – Subscriber Complaints and Investigations

FOR the purpose of adding to the requirements for a continuing care retirement community's internal grievance procedure; shortening the time frame within which certain subscribers have the right to meet with management of a provider; authorizing subscribers to submit a certain request to the Long–Term Care Ombudsman under certain circumstances; requiring the Long–Term Care Ombudsman to provide certain written conclusions to certain individuals and to the Department of Aging; and generally relating to continuing care retirement communities and subscriber complaints and investigations.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–428
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY adding to
Article – Human Services
Section 10–430
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 844 – Delegates Ali and Anderson

AN ACT concerning

Civil Judgment Advances Regulation Act

FOR the purpose of requiring certain judicial oversight of civil judgment advances; defining certain terms; requiring the court to issue an order on an application for a civil judgment advance within a certain time period; and generally relating to certain advances in civil cases.

BY adding to
Article – Courts and Judicial Proceedings

Section 5–1201 through 5–1207 to be under the new subtitle "Subtitle 12. Civil Judgment Advances"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 845 – Delegates Carter, Ali, Anderson, Barnes, Bates, Braveboy, Burns, Dumais, Gutierrez, Hixson, Ivey, Jameson, Kullen, Lee, Manno, McComas, Montgomery, Nathan–Pulliam, Pena–Melnyk, Riley, Ross, Stukes, Taylor, V. Turner, Vallario, and Waldstreicher

AN ACT concerning

Domestic Violence – Tween/Teen Dating Violence Education and Awareness

FOR the purpose of requiring the State Board of Education to develop and implement in the public schools a program to educate students about dating violence; requiring the program to include education on services provided to victims of dating violence; requiring the program to be started in each public school before a certain grade; altering the definition of "victim of domestic violence" for purposes of certain provisions of law to include a certain person; requiring the Governor annually to proclaim the second week in October "Statewide Tween/Teen Dating Violence Education and Awareness Week"; and generally relating to dating violence.

BY adding to
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–513
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 13–601 to be under the new subtitle "Subtitle 6. Commemorative Weeks"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Judiciary.

House Bill 846 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Motorcycle Dealers – Sunday Operations

FOR the purpose of authorizing in Worcester County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of title for a motorcycle on Sunday; providing for a certain effective date; and generally relating to motorcycle dealers in Worcester County.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 18–101(a), (e), and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 18–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Regulation
Section 18–101(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 847 – Delegate McDonough

AN ACT concerning

Charitable Organizations – Acceptance of Contributions from Terrorist Groups – Removal of Income Tax Exempt Status

FOR the purpose of prohibiting certain charitable organizations from accepting certain contributions from certain entities; requiring the charitable organizations subject to this Act to return the contributions to the donors within a certain period of time after a certain notice is received; requiring certain organizations that received certain contributions after a certain date but before the effective date of this Act to comply with this Act; providing that a charitable organization that violates this Act shall lose its State income tax exempt status; and

generally relating to charitable organizations that accept contributions from certain groups or countries.

BY adding to
Article – Business Regulation
Section 6–622
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 12 – Senator Forehand

AN ACT concerning

Tobacco Product Manufacturers – Settlement of State Claims – Nonparticipating Manufacturers – Deposit of Funds in Escrow – Codification of Model Statute

FOR the purpose of codifying the provisions of the Model Statute enacted by Chapter 169 of the Acts of the General Assembly of 1999 as amended; providing for the termination of certain provisions of this Act under certain circumstances; providing for the construction of this Act; making certain technical, stylistic, and conforming changes; and generally relating to the codification of a certain prior enactment of the General Assembly relating to tobacco product manufacturers and certain required deposits of funds into escrow accounts.

BY repealing
Chapter 169 of the Acts of the General Assembly of 1999, as amended by Chapter 141 of the Acts of the General Assembly of 2001, Chapter 348 of the Acts of the General Assembly of 2004, and Chapter 538 of the Acts of the General Assembly of 2006
Section 1

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–401 to be under the amended subtitle "Subtitle 3B. Miscellaneous Prohibited Act; Penalty"; and 16–501(c), (e), (g), (j), (k), and (l), 16–503(d)(2), and 16–504(b)(2)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Regulation
Section 16–401 through 16–403 to be under the new subtitle "Subtitle 4. Tobacco Product Manufacturers Escrow Act"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 455 of the Acts of the General Assembly of 2003
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 74 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Tobacco Authority – Repeal

FOR the purpose of abolishing the State Tobacco Authority; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct certain cross–references and terminology rendered incorrect by this Act; and generally relating to the abolition of the State Tobacco Authority.

BY repealing
Article – Agriculture
Section 7–101 through 7–419 and the title "Title 7. Tobacco"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–106(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 77 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Organic Certification Program – Fees

FOR the purpose of repealing a requirement that the Department of Agriculture adopt certain regulations creating a certain Organic Certification Program that meets the requirements of a certain federal law; requiring the Organic Certification Program established by the Department to conform to a certain federal law; eliminating the limit at which the Secretary of Agriculture is authorized to set a certain fee; and generally relating to the Organic Certification Program within the Department of Agriculture.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–1401, 10–1402, 10–1404, and 10–1406
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 78 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Practice of Veterinary Medicine – Students – Immunity

FOR the purpose of providing that certain activities of certain veterinary medical students are not within the meaning of the practice of veterinary medicine when performed under the responsible direct supervision of a veterinary practitioner; extending certain immunity from liability to certain veterinary medical students under certain circumstances; and generally relating to the practice of veterinary medicine by certain students.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–301(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–301(g) and 2–314
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–614

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 91 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Lawn and Turf Grass Seed – Testing and Labeling Requirements

FOR the purpose of establishing certain labeling requirements for certain lawn and turf grass seed; extending the time period for the validity of certain germination tests for certain lawn and turf grass seed; making a stylistic change; and generally relating to testing and labeling requirements for lawn and turf grass seed.

BY adding to
Article – Agriculture
Section 9–209.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 9–210(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 307 – The President

EMERGENCY BILL

AN ACT concerning

Judicial Compensation Commission

FOR the purpose of providing that for the 2009 Session of the General Assembly only, the failure of the General Assembly to pass the joint resolution of the Judicial Compensation Commission by a certain day of that session may not be deemed to have made effective the salary increases recommended in the joint resolution; providing that the Commission shall, beginning in 2009 and every 4 years thereafter, meet to review judicial salaries and pensions and make written recommendations to the Governor and the General Assembly; making this Act

an emergency measure; and generally relating to judicial compensation and the Judicial Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–708
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Dereck E. Davis, Chairman, ECM
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 537	HGO

Read and ordered journalized.

SPEAKER'S MEDALLION AWARD

Awarded to: William C. Baker, President, Chesapeake Bay Foundation

CASPER R. TAYLOR, JR. FOUNDER'S AWARD

Awarded to: Delegate Mary Ann Love
Anne Arundel County

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 55)

ADJOURNMENT

At 10:53 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 12, 2009.

Annapolis, Maryland
Thursday, February 12, 2009

The House met at 10:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 56)

The Journal of February 11, 2009 was read and approved.

EXCUSES:
Del. Cane – illness
Del. Costa – business
Del. Dwyer – funeral
Del. McDonough – personal

INTRODUCTION OF BILLS

House Bill 848 – Delegates Rosenberg, Oaks, Carter, Conaway, Robinson, and Tarrant

AN ACT concerning

Maryland Health and Higher Educational Facilities Authority – Payment in Lieu of Tax Agreement

FOR the purpose of prohibiting the Maryland Health and Higher Educational Facilities Authority from providing certain assistance to participating institutions for certain projects except under certain conditions; authorizing local jurisdictions to enter into a payment in lieu of tax agreements with participating institutions under certain circumstances; providing for the negotiation of the agreements, the amount, date and manner of payment, and the distribution of payment under this Act; and generally relating to the Authority's power to issue bonds.

BY repealing and reenacting, with amendments,
Article – Economic Development

Section 10–315
Annotated Code of Maryland
(2008 Volume)

BY adding to
Article – Economic Development
Section 10–323(j) and 10–338
Annotated Code of Maryland
(2008 Volume)

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

House Bill 849 – Anne Arundel County Delegation

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Aleph Bet Jewish Day School

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 Trustees of the Aleph Bet Jewish Day School 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 Appropriations.

House Bill 850 – Delegate Holmes

AN ACT concerning

Real Property – Common Interest Community Association Annual Registration

FOR the purpose of requiring homeowners associations, condominiums, and cooperative housing corporations to register annually with the Division of Consumer Protection of the Office of the Attorney General; authorizing the Attorney General to collect a fee not exceeding a certain amount for an annual registration; requiring an annual registration to be filed within a certain period after a certain annual meeting; establishing the form of the registration; and generally relating to homeowners associations, condominiums, and cooperative housing associations.

BY repealing and reenacting, with amendments,

Article – Real Property
Section 11–130 and 11B–115
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6B–12
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 851 – Anne Arundel County Delegation

AN ACT concerning

Creation of a State Debt – Anne Arundel County – MTR Education and Rehabilitation Center

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 Maryland Therapeutic Riding, 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 Appropriations.

House Bill 852 – Delegate Dumais

AN ACT concerning

Maryland Uniform Power of Attorney Act – Loretta's Law

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 under certain circumstances; 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; 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 of expenses 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; providing that a person who accepts a certain power of attorney under certain circumstances is not liable for a certain claim; authorizing a certain person to rely on a certain power of attorney without liability under certain circumstances; authorizing a certain person to request and rely on a certain certification, translation, or opinion, without further investigation and without liability under certain circumstances; establishing that a certain person is without actual knowledge of a certain fact under certain circumstances; requiring a person either to accept a certain power of attorney or to 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; providing that a court may award certain fees and costs if a proceeding to mandate acceptance of a power of attorney was brought other than in good faith; 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 2008 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 2008 Supplement)

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

House Bill 853 – Delegate Holmes

AN ACT concerning

Drunk and Drugged Driving – Repeat Offenders – Special Registration Plates

FOR the purpose of requiring the Motor Vehicle Administration to issue special license plates to identify a vehicle that is owned by an individual who has been convicted of certain drunk or drugged driving offenses a certain number of times; requiring the special registration plates to be distinctive and to include the letters "DUI"; requiring the Administration to recall the registration plates of each vehicle owned by an individual who has been convicted of certain drunk and drugged driving offenses a certain number of times; requiring the Administration to provide a certain notice concerning recalled registration plates; requiring the Administration to issue special registration plates and certain validation tabs under certain circumstances; requiring a vehicle owner to comply with a certain notice; requiring the owner of a vehicle issued special registration plates to pay a certain fee; requiring special registration plates issued under this Act to be displayed for a certain number of years; requiring an owner to renew registration under certain circumstances; requiring the Administration to return or issue certain registration plates and to issue certain validation tabs at the end of a certain time period; and generally relating to drunk and drugged driving.

BY adding to
Article – Transportation
Section 13–630
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 854 – Delegate Holmes

AN ACT concerning

Institutions of Higher Education – College Textbooks – Publication of International Standard Book Numbers and Retail Prices

FOR the purpose of requiring certain institutions of higher education to publish certain International Standard Book Numbers and certain retail price information of certain textbooks and supplemental materials; requiring certain publications to be made on certain websites on or before certain dates; defining certain terms; and generally relating to the publication of International Standard Book Numbers and retail price information of college textbooks.

BY adding to
Article – Education
Section 15–112
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 855 – Delegates Smigiel, Dwyer, McComas, Shank, and Stull

AN ACT concerning

State Government – Open Meetings Act – Definition of Public Body

FOR the purpose of altering the definition of a public body in the context of the Open Meetings Act to include certain entities dedicated to animal control or protection under certain circumstances; and generally relating to the definition of a public body in the context of the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 856 – Delegates Smigiel, Barnes, Carter, Conaway, Dwyer, Frank, Jennings, Kramer, McComas, McConkey, Ramirez, and Valderrama

AN ACT concerning

Criminal Procedure – Media Coverage in the Courtroom – Criminal Sentencing Hearings

FOR the purpose of repealing a prohibition against recording or broadcasting a criminal sentencing hearing; establishing certain requirements for a media organization's request to provide media coverage of a criminal sentencing hearing; requiring the clerk of the court to provide notice to certain parties on receipt of a request to provide media coverage; providing certain factors that a presiding judge may consider in deciding to grant or deny the request to provide media coverage; authorizing a presiding judge to grant a certain request to provide media coverage; authorizing a presiding judge to make a certain order; authorizing a presiding judge to limit certain media coverage after making a certain finding of fact on the record; prohibiting a presiding judge from granting certain requests for media coverage; requiring a presiding judge on a request of a witness, to order that media coverage of a criminal sentencing hearing not include a visual or audio recording or broadcast of the witness; providing that a person who violates this Act may be held in contempt of court; defining certain terms; and generally relating to media coverage of criminal sentencing hearings.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–201
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 857 – Delegates Smigiel, Dwyer, and Riley

AN ACT concerning

Motor Vehicle Liability Insurance – Disclosure of Coverage

FOR the purpose of requiring insurers under certain motor vehicle liability insurance policies to disclose information about certain policies or coverage to certain persons on notification of potential litigation relating to motor vehicle accidents involving certain insureds; and generally relating to coverage under motor vehicle liability insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–513
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 858 – Delegates Smigiel, Dwyer, McComas, Shank, and Stull

AN ACT concerning

State Government – Advisory Committees – Appointment of Members

FOR the purpose of requiring the Governor or member of an Executive Branch agency who appoints members of an advisory committee to take certain steps to assure that the members represent a fair and balanced range of viewpoints and that the advice and recommendations of an advisory committee are not inappropriately influenced by certain people or groups and are the result of the advisory committee's independent judgment; defining certain terms; and generally relating to the appointment of members of an advisory committee.

BY adding to
Article – State Government
Section 8–504
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 859 – Delegates Smigiel, Dwyer, McComas, Shank, and Stull

AN ACT concerning

Election Law – Watchers – Application of State Law to Municipal Elections

FOR the purpose of applying certain State laws concerning watchers to a municipal election; providing that a local law concerning watchers in a municipal election applies only to the extent that it does not conflict with certain State laws concerning watchers; defining a certain term; and generally relating to the application of State laws concerning watchers to municipal elections.

BY adding to
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 10–303(d), 10–304(b), 10–309(b), 10–311, and 10–314(b)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 860 – Delegate Hammen

AN ACT concerning

Healthy Maryland Program

FOR the purpose of renaming the Maryland Health Insurance Plan to be the Healthy Maryland Program; establishing the status and purpose of the Program and the intent of the General Assembly with regard to the Program; repealing certain requirements for the operation of the Maryland Health Insurance Plan; establishing requirements for Program enrollment and coverage; establishing a Board of Directors for the Program; requiring the Program to operate subject to the supervision and control of the Board; providing for an Executive Director and staff for the Program; providing that the Program is not subject to certain provisions of law; requiring the Board to take certain actions; repealing certain obsolete provisions of law relating to the Senior Prescription Drug Assistance Program; renaming the Maryland Health Insurance Plan Fund to be the Healthy Maryland Program Fund; adding to the sources of revenue for the Fund collections from certain per–employee contributions and certain penalty revenue; repealing provisions of law pertaining to the Administrator of the Maryland Health Insurance Plan; requiring the Board to take certain steps relating to enrollment of individuals entitled to a subsidy; authorizing the Board to adopt regulations relating to the amount of subsidies; requiring the Board to maintain certain separate accounts; providing that a debt or obligation of the Program is not a debt of the State or a pledge of credit of the State; establishing certain requirements for the benefit package offered by the Program; establishing certain requirements for a certain master plan document and a certain certificate of coverage; establishing requirements for changes to and reports on the standard benefit package; requiring the Program, notwithstanding certain terms and conditions, to comply with the terms of a certain representation or authorization of coverage under certain circumstances; repealing provisions of law relating to certain premium rates; repealing a certain requirement for the Board to hire an administrator; establishing requirements for rates for Program coverage; establishing requirements for carriers to participate in the Program; providing that certain actions by certain entities are unlawful and a violation of the Insurance Article; requiring the Program to be a certain alternative mechanism; prohibiting the Program from applying a certain exclusion to a certain individual; repealing a prohibition relating to a certain limit on participation; requiring the Insurance Commissioner to regulate the Program; establishing the applicability of certain provisions of law to the Program; providing that certain provisions do not limit certain authority of the Commissioner; establishing the authority of the Commissioner with regard to certain violations, fines, and penalties; altering requirements for carriers participating in the small group market; requiring a certain employer to pay a per–employee contribution at a certain time and in a certain manner; requiring the Maryland Health Care Commission to determine the amount of the per–employee contribution; requiring the Commissioner of Labor and Industry to determine and collect a certain contribution owed and

assess a certain penalty; requiring certain amounts to be deposited in the Healthy Maryland Fund; imposing a penalty on the income tax of certain individuals unless the individual and certain dependents had certain health care coverage or are nonresidents; providing for certain exceptions; requiring the Maryland Health Care Commission to provide certain information to the Comptroller for a certain purpose; requiring the taxpayer to indicate on the income tax return the presence of health care coverage that meets certain requirements; requiring the revenues from the penalty to be distributed to the Healthy Maryland Program Fund; requiring the Comptroller to publicize the requirements of this Act for a certain purpose; providing for a delayed effective date for certain provisions of this Act; altering a certain definition; defining certain terms; and generally relating to the Healthy Maryland Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–501 through 14–505 and 14–507 through 14–509 to be under the amended part "Part I. Healthy Maryland Program"; and 15–1204(a) and 15–1301(f)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 14–502.1, 14–506, and 14–506.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Article – Insurance
Section 14–506
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Labor and Employment
Section 12–101 and 12–102 to be under the new title "Title 12. Employer Health Contribution"
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Tax – General
Section 10–106.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 861 – Delegate Smigiel

AN ACT concerning

Practice of Veterinary Medicine – Operating Without a License – Penalties

FOR the purpose of making it a misdemeanor to perform a surgical operation on an animal in the State in violation of certain provisions of law; making a person subject to certain penalties on conviction for this misdemeanor; and generally relating to penalties for the illegal practice of veterinary medicine in the State.

BY adding to
Article – Agriculture
Section 2–315.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 862 – Delegate Smigiel

AN ACT concerning

Natural Resources – Oyster Harvest – Closure of State Waters

FOR the purpose of requiring the Department of Natural Resources to keep certain waters of the State open for oyster harvesting unless the Department makes certain determinations or except as required by law; requiring the Department to manage certain waters of the State to support, promote, and enhance oyster harvesting opportunities to a certain extent; requiring the Department to manage certain waters of the State to prevent any net loss of waters available for oyster harvesting or of available oyster harvest authorizations; requiring the Department to submit to the General Assembly a certain annual report; and generally relating to closures of certain waters of the State to oyster harvesting.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–215(b)(6) and (c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(h)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Natural Resources
Section 4–215.5
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 863 – Delegates Barve, Cardin, and Weldon

AN ACT concerning

Election Law – Voting Machines – Voting System Warranty Requirement

FOR the purpose of requiring a certain voting system selected by the State Board of Elections to be warranted by the vendor for a certain period of time; requiring a certain warranty to require the vendor to replace or upgrade certain hardware under certain conditions; requiring a certain warranty to require the vendor to replace or upgrade certain software under certain conditions; authorizing a person other than the State to file a civil action on behalf of the State against a person who has breached a certain warranty; providing for the procedures to be followed in a civil action; authorizing the State to intervene and proceed with the action under certain circumstances; authorizing the person who initiated the action to conduct the action if the State notifies the court that it will not proceed with the action; prohibiting persons other than the State from intervening or bringing a related action based on the same facts; establishing that if the State proceeds with a civil action, the State bears primary responsibility for proceeding and is not bound by certain acts; prohibiting the person who initiated the civil action from continuing as a party to the action if the State proceeds with a civil action; authorizing the State to petition the court to dismiss an action under certain circumstances; authorizing the State to settle an action under certain circumstances; authorizing the court to award certain costs and fees; defining a certain term; and generally relating to requiring a warranty for the purchase of voting machines.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–101
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 864 – Howard County Delegation

AN ACT concerning

Howard County – Roadside Solicitation of Money or Donations – Prohibition

Ho. Co. 9–09

FOR the purpose of prohibiting a person from standing in a State highway or the highway right–of–way in Howard County to solicit money or donations from an occupant of a vehicle; making the provisions of this Act severable; and generally relating to restrictions on the use of State highways in Howard County for solicitation.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–127 and 21–507(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 21–507(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 865 – Harford County Delegation

AN ACT concerning

Harford County – Property Tax Credit for Homes Near a Refuse Disposal System

FOR the purpose of repealing a certain requirement for a home to qualify for a certain property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems; extending the property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems to certain other residential real property; providing for the application of this Act; and generally relating to certain authorization for Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–314(a)(1)(x)
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–314(a)(4)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 866 – Delegates Holmes, Barkley, Beidle, McConkey, Niemann, and Sophocleus

AN ACT concerning

Alcoholic Beverages – Issuance, Renewal, and Transfer of Licenses and Permits – Payment of State and Local Taxes

FOR the purpose of requiring, before an alcoholic beverages license or permit may be issued, the applicant to provide certain verification to the authority issuing the license or permit that the applicant has paid all undisputed taxes or has provided for payment in a certain manner; requiring that an application be disapproved under certain circumstances; requiring that before an alcoholic beverages license or permit may be renewed or transferred, the authority renewing or approving the transfer of the license or permit verify in a certain manner that the holder of the license or permit has paid all undisputed taxes or has provided for payment in a certain manner; prohibiting a license–issuing authority from renewing or approving the transfer of a license or permit under certain circumstances; and generally relating to applicants and holders of alcoholic beverages licenses and permits.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–202(a)(2)(ii), 10–301(a)(1)(ii)4., and 10–503(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 10–202.1 and 10–301.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 867 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Shabach Adult Day Care and Senior Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of the SHABACH! 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 Appropriations.

House Bill 868 – Delegates Love and Krysiak

AN ACT concerning

Property and Casualty Insurance – Portable Electronics Insurance – Regulation

FOR the purpose of prohibiting the issuance of portable electronics insurance unless certain materials are available to prospective customers at a certain location and in a certain manner; providing for the materials to include a certain summary of coverage, a certain disclosure about other insurance coverage, a certain statement about required enrollment in coverage, a certain description of the process for filing a claim, a certain disclosure about employees evaluating certain insurance coverage, and a certain statement about cancelling the insurance; authorizing the offering of portable electronics insurance on a periodic basis as a certain commercial inland marine policy; authorizing vendors of portable electronics and their employees and authorized representatives to offer enrollment in policies of portable electronics insurance without licensure as insurance producers under certain circumstances; requiring an insurer that offers portable electronics insurance to appoint a certain supervising agency for certain purposes; requiring the development of a certain training program for employees and authorized representatives; authorizing vendors to bill and collect charges for portable electronics insurance in a certain manner; authorizing the Maryland Insurance Commissioner to impose certain fines in certain amounts and impose certain penalties for certain violations; prohibiting an insurer from terminating or changing the terms and conditions of a policy of portable electronics insurance unless the insurer provides at least a certain number of days of notice, with certain exceptions; requiring an insurer that makes certain changes to a policy to provide certain revised policies or endorsements to certain persons; providing that coverage continues under the policy under certain circumstances if the insurer does not provide timely notice;

providing that covered customers are eligible for reinstatement of coverage under certain circumstances; requiring a vendor that terminates a policy to give certain notice to covered customers in a certain manner; providing certain circumstances under which notice of termination to covered customers is not required; establishing that certain required notice is to be given in a certain manner; defining certain terms; and generally relating to the regulation of portable electronics insurance.

BY adding to
Article – Insurance
Section 19–901 through 19–904 to be under the new subtitle "Subtitle 9. Portable Electronics Insurance"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 869 – Delegate Holmes

AN ACT concerning

Real Property – Protection of Homeowners in Foreclosure – Tenancy Agreement – Exception

FOR the purpose of providing that a requirement that the purchaser of a residence in default provide a certain statement about tenancy to the homeowner under certain circumstances does not apply to a certain tenancy; and generally relating to sales or transfers of residences in default.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–313
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 870 – Delegates Holmes, Levi, and Hubbard

AN ACT concerning

Creation of a State Debt – Prince George's County – Kappa Alpha Psi Playground Equipment

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 Kappa Alpha Psi Foundation 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 Appropriations.

House Bill 871 – Delegates Barkley, Barve, Dumais, Feldman, Gilchrist, Montgomery, Reznik, Rice, and Simmons

EMERGENCY BILL

AN ACT concerning

Health Care Facilities – Certificates of Need – Hospitals

FOR the purpose of requiring the Maryland Health Care Commission to docket and review a certain application for a certificate of need based on a certain letter of intent notwithstanding the pendency of a certain application; requiring the Commission to review a certain application for a certificate of need in a certain manner; defining certain terms; making this Act an emergency measure; and generally relating to certificates of need for hospitals.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–120(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 872 – Delegates Schuh, Dwyer, and Kipke

AN ACT concerning

Employees' Pension System – Purchase of Service Credit – Washington Suburban Transit Commission

FOR the purpose of providing that certain members of the Employees' Pension System may purchase certain service credit in the Employees' Pension System; requiring certain members of the Employees' Pension System who choose to purchase certain service credit, to pay to the Board of Trustees of the State Retirement and Pension System a certain amount for that service credit; authorizing certain members of the Employees' Pension System who choose to purchase certain service credit to use certain funds towards the purchase; requiring certain members of the Employees' Pension System to complete

certain claims and make certain purchases to the Board of Trustees on or before a certain date; providing for the termination of this Act; and generally relating to the purchase of service credit in the Employees' Pension System for employment with the Washington Suburban Transit Commission.

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

House Bill 873 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000 and Maryland Consolidated Bond Loan of 2002 – Baltimore City – Park Heights Golf Range and Family Sports Park

FOR the purpose of amending the Baltimore City – Park Heights Golf Range and Family Sports Park Loan of 2000 and the Maryland Consolidated Capital Bond Loan of 2002 to require that certain loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date.

BY repealing and reenacting, with amendments,
Chapter 440 of the Acts of the General Assembly of 2000, as amended by Chapter 94 of the Acts of the General Assembly of 2007
Section 1

BY repealing and reenacting, with amendments,
Chapter 290 of the Acts of the General Assembly of 2002
Section 1(3) Item ZA00 (EE)

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

House Bill 874 – Delegates Sophocleus, Beidle, Boteler, Costa, DeBoy, Dwyer, Elmore, Holmes, Krebs, Love, McComas, Riley, Robinson, Sossi, Stocksdale, Walkup, and Weldon

AN ACT concerning

Criminal Law – Trespass on Posted Property and Wanton Trespass on Private Property – Penalties

FOR the purpose of increasing the penalties for subsequent violations of the crime of trespass on posted property; increasing the penalties for subsequent violations of the crime of wanton trespass on private property; and generally relating to penalties for the trespass crimes.

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

Section 6–402 and 6–403
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 875 – Delegates Sophocleus, Beidle, Bohanan, Boteler, Costa, DeBoy, Elmore, Holmes, Krebs, McComas, Riley, Robinson, Sossi, Stocksdale, Walkup, and Weldon

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 adding to
Article – Transportation
Section 21–902.2 and 27–101(cc)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 876 – Delegates Glenn, Hucker, Ali, Anderson, Beidle, Bobo, Braveboy, Cane, Carr, Carter, V. Clagett, Conaway, Doory, Frush, Hammen, Harrison, Haynes, Healey, Holmes, Jones, Kirk, Krysiak, Lafferty, Malone, McHale, McIntosh, Niemann, Norman, Oaks, Pena–Melnyk, Robinson, Rosenberg, Shewell, Sossi, Stein, Stukes, Tarrant, and Weir

AN ACT concerning

Environment – Healthy Homes Initiative

FOR the purpose of requiring the Secretary of the Department of the Environment to establish a Healthy Homes Initiative in the Department for certain purposes; authorizing the Secretary to apply for certain federal grants; requiring the Secretary to administer certain grants for certain purposes; and generally relating to the Healthy Homes Initiative.

BY adding to
Article – Environment
Section 6–855 to be under the new part "Part IX. Healthy Homes Initiative"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 877 – Delegates Kramer, Ali, Anderson, Boteler, Bromwell, Cane, Cardin, Carr, DeBoy, Dwyer, Eckardt, Frank, Gaines, Glenn, Haddaway, Harrison, Kullen, McConkey, Miller, Montgomery, Niemann, O'Donnell, Olszewski, Riley, Schuler, Smigiel, Sossi, Stifler, Stukes, Vaughn, and Weir

AN ACT concerning

Vehicle Laws – Motorcycle at a Red Signal – Affirmative Defense

FOR the purpose of providing an affirmative defense for the operator of a motorcycle to the charge of entering or crossing an intersection against a red traffic signal in violation of certain provisions of law; establishing certain elements to the affirmative defense; and generally relating to a motorcycle crossing an intersection at a red signal.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–168 and 21–202(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–201
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 878 – Delegates Sophocleus, Cane, Carr, Costa, DeBoy, Elmore, Holmes, James, Love, Pena–Melnyk, Riley, Shewell, and Walkup

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 2008 Supplement)

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

House Bill 879 – Frederick County Delegation

AN ACT concerning

Divestiture from Iran and Sudan – Frederick County Retirement and Pension System

FOR the purpose of authorizing the Board of County Commissioners for Frederick County to enact certain ordinances that would allow the Frederick County Retirement Committee to take certain divestment action with regard to certain investments; providing certain immunities from liability for certain persons; requiring the Board of County Commissioners to act in good faith in taking certain actions in a certain manner; defining certain terms; making the provisions of this Act severable; and generally relating to the Board of County Commissioners for Frederick County authorizing the Frederick County Retirement and Pension System to divest from Iran or Sudan.

BY adding to
The Public Local Laws of Frederick County
Section 2–7–201
Article 11 – Public Local Laws of Maryland
(2004 Edition and September 2008 Supplement, as amended)

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

House Bill 880 – Delegates Rosenberg, Carter, and Oaks

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 $200,000, 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 Appropriations.

House Bill 881 – Delegates Sossi, Smigiel, and Walkup

EMERGENCY BILL

AN ACT concerning

Chesapeake Bay Bridge – Inspection by Independent Entity Required

FOR the purpose of requiring the Maryland Transportation Authority to cause an inspection to be conducted of all elements of the superstructure and substructure of the Chesapeake Bay Bridge on or before a certain date; requiring the Authority to retain the services of an entity that is independent of and not affiliated with the Authority to conduct the inspection; requiring the Authority to mandate that the entity conducting the inspection use the most exacting and state–of–the–art technology in the industry to complete its evaluation; making this Act an emergency measure; and generally relating to an inspection of the Chesapeake Bay Bridge by an independent entity.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 882 – Delegates Sossi, Smigiel, George, and Walkup

EMERGENCY BILL

AN ACT concerning

Chesapeake Bay Bridge – Independent Inspection Required Before Toll, Fee, or Penalty Increase

FOR the purpose of prohibiting the Maryland Transportation Authority from imposing an increase in a toll, fee, or penalty for the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge until a certain inspection is conducted; requiring the Authority to retain the services of an entity that is independent of and not affiliated in any way with the Authority to conduct the inspection; requiring the Authority to mandate that the entity conducting the inspection use the most exacting and state–of–the–art technology in the industry to conduct the inspection; making this Act an emergency measure; and generally relating to a prohibition on toll, fee, or penalty increases for the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge until a certain inspection is conducted.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312(c)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Ways and Means.

House Bill 883 – Delegates Olszewski, Aumann, Beidle, Boteler, Cardin, Frank, Guzzone, Howard, Ivey, Kach, Lafferty, McDonough, Minnick, Riley, Sophocleus, and Weir

AN ACT concerning

Income Tax Refund – Direct Deposit – Multiple Accounts

FOR the purpose of requiring the Comptroller, if a certain request is made, to directly deposit an income tax refund into multiple accounts; and generally relating to the direct deposit of an income tax refund.

BY adding to
Article – Tax – General
Section 13–905(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 884 – Delegates Robinson, Conaway, and Tarrant

AN ACT concerning

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

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 Parks and People, The Foundation of Baltimore Recreation and 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 Appropriations.

House Bill 885 – Delegates Healey, Frush, Holmes, and Lafferty

AN ACT concerning

Real Property – Rescission of Contract for Sale or Transfer of Residence in Default – Notice to Purchaser

FOR the purpose of requiring that a certain seller of a residence in default provide a certain notice as a condition of exercising certain rights of rescission; requiring the notice to be provided in a certain manner before the execution of a certain contract; and generally relating to contracts for the sale or transfer of a residence in default.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–310(a) and 7–313(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 886 – Delegates Olszewski, Beidle, Carr, DeBoy, Minnick, Riley, and Weir

AN ACT concerning

Optional Defined Contribution System – Enrollment and Participation

FOR the purpose of requiring certain State employees to make certain elections under certain circumstances for enrollment in the Optional Defined Contribution System; requiring certain State employees to file certain documents with the State Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans; requiring certain State employees to make certain contributions for certain investments based on certain factors; requiring the Board of Trustees to adopt certain regulations; providing for the application of this Act; and generally relating to State employees participating in the Optional Defined Contribution System.

BY adding to
Article – State Personnel and Pensions
Section 32–203.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 887 – Delegates Smigiel, Dumais, Frank, Levi, McConkey, Shank, and Stocksdale

AN ACT concerning

Lawyers – Simultaneous Service As Counsel to Counties and Municipalities – Prohibition

FOR the purpose of prohibiting a lawyer from serving as legal counsel for a county in the State while also serving as legal counsel for a municipal corporation in the State; authorizing a certain court to issue a writ of mandamus to command a person to comply with this Act; providing that a violation of this Act violates certain ethical rules and is subject to the disciplinary authority of a certain bar association; and generally relating to prohibited acts for lawyers in the State.

BY adding to
Article – Business Occupations and Professions
Section 10–603.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10–606
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 888 – Delegates Sossi and Smigiel

AN ACT concerning

Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation Authority, in collaboration with certain other agencies, to commence the process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–205
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 889 – Delegates Smigiel, Eckardt, Haddaway, Sossi, and Walkup

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Legislative Districting – Resident Delegates by County

FOR the purpose of amending the Maryland Constitution to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county; 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 4

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 890 – Delegates Stein, Cardin, Glenn, Morhaim, and Weir

AN ACT concerning

Vehicle Laws – Failure to Yield to Emergency Vehicle – Penalty

FOR the purpose of increasing the maximum penalty for failure of a driver of a vehicle to yield to an emergency vehicle.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–405 and 27–101(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(g)
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 891 – Delegates Rosenberg, Rice, and Ross

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit for Electric Vehicles

FOR the purpose of repealing a certain obsolete credit against the motor vehicle excise tax for certain qualified hybrid vehicles and certain qualified electric vehicles; allowing a credit against the motor vehicle excise tax for certain qualified electric vehicles; providing for a delayed effective date; and generally relating to a motor vehicle excise tax credit for certain qualified electric vehicles.

BY repealing
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 892 – Delegates Cane, Benson, Braveboy, Burns, Davis, Glenn, Haynes, Holmes, Howard, Ivey, Proctor, Rice, Tarrant, V. Turner, Vaughn, and Walker

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
(2008 Replacement Volume)

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

House Bill 893 – Delegates Hixson, Cardin, Olszewski, Rice, and Ross

EMERGENCY BILL

AN ACT concerning

Election Law – Voting Systems – Requirements

FOR the purpose of authorizing the State Board of Elections to certify a voting system that has been examined by an independent testing laboratory approved by the National Association of State Election Directors; requiring the State Board to select and certify the voting system that best satisfies certain requirements if at the time of procurement of a voting system there are no voting systems commercially available that entirely satisfy certain requirements; making this Act an emergency measure; and generally relating to the selection and certification of voting systems.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–102
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 894 – Delegates Olszewski, Carr, DeBoy, Frick, Kaiser, Lafferty, Minnick, and Riley

AN ACT concerning

Family Investment Program – Temporary Cash Assistance – Eligibility

FOR the purpose of requiring the asset limit established by the Secretary of Human Resources for a temporary cash assistance case to be adjusted annually for inflation; requiring a local department to exclude certain retirement accounts

and education savings accounts from income in determining eligibility for the Family Investment Program; and generally relating to eligibility for temporary cash assistance under the Family Investment Program.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 5–312(a), (b), and (c)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY adding to
Article – Human Services
Section 5–312(b–1)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–315
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

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

House Bill 895 – Delegates Olszewski, Schuh, Barnes, Beidle, Bromwell, Cardin, DeBoy, Frank, Frick, Guzzone, Howard, Impallaria, Ivey, Jennings, Kach, Kaiser, Krebs, Lafferty, Levi, Love, Malone, Manno, McDonough, Minnick, Riley, Schuler, Stein, Walker, and Weir

AN ACT concerning

Taxpayer Protection Act

FOR the purpose of altering certain 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 repealing and reenacting, without amendments,
Article – Tax – General
Section 10–105(a)(1)(iv) and (2)(iv)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–105(e)
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 896 – Delegates Rosenberg, Mizeur, and Murphy

AN ACT concerning

Income Tax – Earned Income Tax Credit – Noncustodial Parent

FOR the purpose of allowing certain individuals to claim an income tax credit in a certain amount against the State income tax for earned income under certain circumstances; providing for certain limitations on the credit; providing for the application of this Act; and generally relating to a credit against the State income tax for certain earned income.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–704(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 897 – Delegates McConkey, V. Clagett, Costa, Dwyer, George, Love, and Sophocleus

AN ACT concerning

Public Schools – Office Discipline Referrals – Accountability Policy

FOR the purpose of requiring the State Board of Education to develop a certain model policy for accounting for certain office discipline referrals submitted in certain schools by a certain date; requiring a certain model policy to include certain information; requiring certain county boards of education to establish certain policies to account for certain office discipline referrals submitted in certain schools; requiring certain policies established by county boards of education to include certain components; requiring county boards to develop certain policies in consultation with certain groups; requiring certain county board policies to include information on certain procedures; requiring county boards to submit certain policies to the State Superintendent of Schools on or before a certain

date; defining a certain term; and generally relating to an accountability policy by public schools for office discipline referrals.

BY adding to
Article – Education
Section 7–311
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 898 – Delegates McConkey, Beidle, Benson, Cane, Costa, Dwyer, Eckardt, Elmore, Frank, George, Holmes, McComas, Norman, Ramirez, Schuh, Sossi, Stocksdale, and Stull

AN ACT concerning

Child Custody and Visitation – Relocation of Child – Consent and Court Approval

FOR the purpose of authorizing a court, in a custody or visitation proceeding, to include as a condition of a custody or visitation order a requirement that either party obtain the consent of the other party or the approval of the court before relocating the child outside the State; requiring a court to waive certain consent or court approval requirements under certain circumstances; establishing certain defenses to certain actions brought for violations of certain consent or court approval requirements; clarifying language; and generally relating to child custody and visitation and the relocation of a child.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9–106
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 899 – Delegates Kelly, Beitzel, Myers, and Schuler

AN ACT concerning

Workers' Compensation – Death Benefits for Partially Dependent Individuals – Payment

FOR the purpose of requiring an employer or insurer to continue certain payments under certain circumstances to certain individuals who were partially dependent at the time of the covered employee's death or who were wholly

dependent at the time of the covered employee's death and became partially self–supporting; altering the total amount of compensation payable to an individual who was partially dependent at the time of the covered employee's death or became self–supporting after the covered employee's death; authorizing the Workers' Compensation Commission to recalculate certain weekly death benefit payments; providing for the application of this Act; and generally relating to death benefits under workers' compensation law for partially dependent individuals.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–101(d) and 9–681(e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–681(j) and 9–682
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 900 – Delegates Cane, Benson, Braveboy, Burns, Glenn, Holmes, Howard, Ivey, Pena–Melnyk, Proctor, Rice, Tarrant, V. Turner, Vaughn, and Walker

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
(2008 Replacement Volume)

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

House Bill 901 – Delegates McComas, Ali, Aumann, DeBoy, Frank, Frick, Frush, Haddaway, Kelly, Levy, Manno, McDonough, Montgomery, Robinson, Shewell, Simmons, Sossi, and Waldstreicher

AN ACT concerning

Domestic Violence – Cruelty Toward a Pet or Service Animal

FOR the purpose of 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; defining certain terms; and generally relating to domestic violence and cruelty toward a pet or service animal.

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 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–501(a) and (l)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 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 2008 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 2008 Supplement)

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

House Bill 902 – Delegates Mizeur, Barkley, Bronrott, Carr, Feldman, Frick, Gilchrist, Lafferty, Lee, Manno, Montgomery, F. Turner, and Waldstreicher

AN ACT concerning

Maryland Family and Medical Leave Act

FOR the purpose of requiring employers in the State that are subject to the federal Family and Medical Leave Act of 1993 to provide certain leave to a certain eligible employee with respect to the eligible employee's brother, sister, grandparent, grandchild, or domestic partner and the son or daughter of the eligible employee's domestic partner; providing that an eligible employee who takes leave provided under this Act is entitled to certain protections and rights; providing that the amount of leave taken by an eligible employee under the federal Family and Medical Leave Act of 1993 during a certain period of time shall be counted against the amount of leave the eligible employee is entitled to under this Act; requiring the Commissioner of Labor and Industry to enforce this Act and adopt regulations to carry out this Act; defining certain terms; and generally relating to family and medical leave benefits.

BY adding to
Article – Labor and Employment
Section 3–803
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 903 – Delegates Hixson, Beitzel, and Lafferty

AN ACT concerning

Estates and Trusts – Registers of Wills – Fees

FOR the purpose of establishing that, unless otherwise provided by law, a register of wills is not required to record a paper filed with the register or to provide a person with a copy of a paper until the applicable charge has been paid; altering the rates at which certain probate fees must be assessed on the value of probate estates; altering certain fees for services provided by registers of wills;

eliminating certain fees for services provided by registers of wills; establishing certain fees for services provided by registers of wills; altering the rates at which certain fees for a small estate are to be assessed on the value of the small estate; making stylistic changes; and generally relating to fees charged by registers of wills.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–206 and 5–606
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 904 – Delegate Smigiel

AN ACT concerning

State Government – Sheriff and State's Attorney – Board Membership

FOR the purpose of prohibiting a sheriff or State's Attorney from being a member of certain boards, boards of directors, or boards of trustees of certain organizations located in the county where the sheriff or State's Attorney serves under certain circumstances; and generally relating to the board membership of a sheriff or State's Attorney.

BY adding to
Article – State Government
Section 15–504.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 905 – Frederick County Delegation

AN ACT concerning

Frederick County – 10th Election District – Alcoholic Beverages Licenses – Fundraising Events for Nonprofit Organizations

FOR the purpose of authorizing a nonprofit organization in the 10th election district in Frederick County to obtain a one–day special beer and wine license for use at a fundraising event for the organization; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 8–211(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–211(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 906 – Frederick County Delegation

AN ACT concerning

Frederick County – Archery Hunting – Safety Zone

FOR the purpose of establishing for archery hunters in Frederick County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; making a stylistic change; and generally relating to archery hunting in Frederick County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 907 – Delegates Carter, Ali, Barkley, Benson, Bobo, Braveboy, Carr, Gutierrez, Hixson, Hucker, Lee, Manno, Montgomery, Oaks, Rice, Taylor, and Waldstreicher

AN ACT concerning

Public Safety – National Guard Deployment – Governor's Powers

FOR the purpose of requiring the Governor to withhold approval of the transfer of the National Guard to federal control in the absence of an explicit authorization for use of military force adopted by the U.S. Congress and in force on the date of the federal request for transfer or a declaration of war by the U.S. Congress; authorizing the Governor to request the return of certain units of the National Guard to the control of the State in certain circumstances; and generally relating to the deployment of the National Guard.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 13–401(c)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 908 – Delegates Hixson, Griffith, Bohanan, Cardin, G. Clagett, Doory, George, Guzzone, Ivey, Olszewski, Pena–Melnyk, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Income Tax – Film Production Activity Credit

FOR the purpose of repealing the Film Production Rebate Program; allowing certain film production entities to claim a credit against the State income tax for certain costs incurred for certain film production activities within the State; requiring a film production entity to apply with the Department of Business and Economic Development to be a qualified film production entity; requiring the Secretary of the Department to determine if the film production entity qualifies for the credit; requiring that the estimated total direct costs incurred in the State exceed a certain amount; authorizing the Secretary to require the entity to provide certain information; authorizing the Secretary to require that certain information be verified by an independent auditor; requiring a qualified film production entity to apply for a tax credit certificate from the Department; authorizing the Secretary to provide for the form of the application; requiring the application to include certain information; requiring the Secretary to determine the total direct costs that qualify for the tax credit and issue a tax credit certificate for a certain percentage of the total direct costs; requiring the Secretary to notify the Comptroller of the amount of any tax credit certificate issued; providing that the total direct costs for a film production activity may not include the wages of an employee if the employee's wages exceed a certain amount; requiring that each year the Department report to the Governor and General Assembly certain information regarding the tax credit; requiring the Department and the Comptroller to jointly adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain film production activities.

BY repealing
Article – Economic Development
Section 4–401 through 4–407 and the subtitle "Subtitle 4. Film Production Rebate Fund"
Annotated Code of Maryland

(2008 Volume)

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Economic Matters.

House Bill 909 – Delegate McDonough

AN ACT concerning

Task Force to Study the Regulation of Surgical First Assistants

FOR the purpose of establishing a Task Force to Study the Regulation of Surgical First Assistants; providing for the composition and staffing of the Task Force; specifying the duties of the Task Force; providing for certain reimbursement for travel expenses; requiring the Task Force to report its findings and recommendations on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the Regulation of Surgical First Assistants.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 910 – Delegates McComas, Riley, Bartlett, Bates, Elmore, George, James, Jameson, Kipke, Kullen, McConkey, Myers, Norman, Serafini, Sossi, Stull, and Weldon

AN ACT concerning

Maryland Strategic Energy Investment Fund – Energy Efficiency and Conservation Programs – Seniors

FOR the purpose of requiring the Maryland Energy Administration to consider the needs of low–income and moderate–income seniors when using money from the Maryland Strategic Energy Investment Fund to develop and implement certain energy efficiency and conservation programs; and generally relating to the Maryland Strategic Energy Investment Fund.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–01(a), (b), and (d) and 9–20B–05(g)
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 911 – Carroll County Delegation

AN ACT concerning

Counties – Purchase of Development Rights – Carroll County

FOR the purpose of authorizing Carroll County to enter into an agreement to purchase development rights under certain circumstances; authorizing Carroll County to determine, by resolution, certain provisions, terms, conditions, and the duration of a certain agreement; providing that a certain payment obligation in a certain agreement shall be a general obligation of Carroll County and may not be subject to a certain annual appropriation; authorizing Carroll County to undertake a certain payment obligation without regard to certain limitations and without complying with certain procedures; providing that the exercise of certain authority constitutes the exercise of certain borrowing authority; providing that a certain agreement, the transfer or assignment of a certain agreement, and the payment required by a certain agreement are exempt from certain taxes; and generally relating to the purchase of development rights by Carroll County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 20–101
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 20–102
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 912 – Delegate Barnes

AN ACT concerning

Criminal Procedure – Warrantless Arrest – Violation of Protective Order

FOR the purpose of clarifying that a police officer is authorized to make a warrantless arrest of a person in violation of a certain interim, temporary, or final protective order under certain circumstances; and generally relating to warrantless arrests and violation of protective orders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–203
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–508.1(c) and 4–509(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 913 – Delegates Dwyer, Bartlett, Bates, Beitzel, Boteler, Eckardt, Elmore, Frank, George, Haddaway, Impallaria, Jennings, King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Myers, Norman, O'Donnell, Schuh, Serafini, Shank, Shewell, Sossi, Stocksdale, Stull, Walkup, and Wood

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 marriage between one man and one woman shall be the only domestic legal union valid or recognized 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 Judiciary.

House Bill 914 – Delegates Barkley and Heller

AN ACT concerning

Family Law – Child Neglect – Maryland Student Assistance Program Referral Recommendations

FOR the purpose of providing that failure of a parent or guardian to comply and follow up with the referral recommendations of the Maryland Student Assistance Program constitutes neglect of a child; and generally relating to referral recommendations of the Maryland Student Assistance Program.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–701(s)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 915 – Delegate Smigiel

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 2008 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Appropriations.

House Bill 916 – Delegate Holmes

AN ACT concerning

Political Subdivisions – Government Imposed Restrictions on Income Producing Real Property – Fiscal Impact Study

FOR the purpose of requiring a local government to request a certain study from the Governor before enacting an ordinance or adopting a regulation that imposes rent restrictions or affordability requirements on certain residential property; requiring the Governor to direct a certain State entity to perform a certain study; requiring the Governor to make certain appropriations for the study; requiring the findings of the study to be submitted to the Governor and certain committees of the General Assembly; and generally relating to political subdivision rent restrictions or affordability requirements.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 19–105
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 917 – Delegates Smigiel, Dwyer, George, McComas, McConkey, Shank, and Sossi

AN ACT concerning

Administrative Office of the Courts – Uniform Subpoena Procedures and Forms for Circuit Courts

FOR the purpose of requiring the Administrative Office of the Courts, on or before a certain date, to design uniform subpoena procedures and forms to be provided to

and used in the circuit courts of the State in subpoenaing a person for a criminal, civil, or traffic matter.

BY adding to
Article – Courts and Judicial Proceedings
Section 1–505
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 918 – Delegates Malone, Anderson, Bohanan, Boteler, G. Clagett, V. Clagett, Conway, Costa, DeBoy, Donoghue, Gaines, Impallaria, James, Jennings, Jones, King, Love, Mathias, McComas, Morhaim, Norman, Riley, Robinson, Rudolph, Schuler, Sophocleus, Sossi, Stifler, Stull, F. Turner, Weir, and Weldon

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; providing for the application of this Act; 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 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–307.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 919 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Recordation and Transfer Tax – Collection Fees

FOR the purpose of prohibiting the Clerk of Circuit Court for Queen Anne's County from collecting a certain fee for collecting the recordation tax and county transfer tax; and generally relating to recordation and transfer tax collection in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–213(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–213(j)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 920 – Delegates Ali and Benson

AN ACT concerning

No So–Called Sexual Stimulant Pills for Kids Act

FOR the purpose of prohibiting the sale or offer for sale to minors of products labeled and marketed as sexual stimulant pills, with a certain exception; requiring retailers to display and store certain products in a certain manner; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; establishing certain penalties; and generally relating to the sale of products marketed as sexual stimulant pills.

BY adding to
Article – Health – General
Section 24–304
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 921 – Delegates Barnes, Pena–Melnyk, Frush, Ali, Beidle, Benson, Cane, Carr, Dumais, Healey, Holmes, Hubbard, Hucker, Glenn, Lafferty, Levy, O'Donnell, Shewell, Stein, and Weir

EMERGENCY BILL

AN ACT concerning

Construction Permits – Expiration Dates

FOR the purpose of requiring the running of the period of approval for certain permits issued by the State to be tolled for a certain period; requiring the running of the period of approval for certain permits issued by a county or municipality to be tolled for a certain period; making certain conforming changes; defining certain terms; declaring the intent of the General Assembly; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the expiration of construction and development permits.

BY repealing and reenacting, with amendments,
Article – State Government
Section 11–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 11–201 and 11–202 to be under the new subtitle "Subtitle 2. Permit Extensions"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 23–101 and 23–102 to be under the new title "Title 23. Construction and Development Permits"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 922 – Delegates Rudolph, James, and Riley

AN ACT concerning

Maryland Transportation Authority – Fixing or Revising Tolls and Fees – Notice and Public Comment

FOR the purpose of requiring the Maryland Transportation Authority to provide certain information relating to a proposal to fix or revise a fee or other charge to certain committees of the General Assembly by a certain date; altering the date by which the Authority is required to provide certain information relating to a proposal to fix or revise a toll to certain committees of the General Assembly; requiring the Authority to provide a certain public comment period before a proposal to fix or revise a toll, fee, or other charge may take effect; requiring that the public comment period commence on the date on which the Authority publishes certain information in the Maryland Register; requiring the Authority to hold public hearings during the public comment period in different regions of the State; requiring the Authority to accept oral and written testimony from the public at each hearing; requiring at least one hearing during the public comment period to be held in the evening; and generally relating to a process for notice and public comment before the Maryland Transportation Authority may fix or revise a toll, fee, or other charge on a transportation facilities project.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 923 – Delegate Rudolph

AN ACT concerning

Higher Education – Community Colleges – BRAC – Exemption from Out–of–State and Out–of–County Fees

FOR the purpose of exempting certain employees and their family members as part of the Base Realignment and Closure (BRAC) process from paying a certain out–of–state or out–of–county fee at community colleges in the State; authorizing each board of community college trustees to waive a certain out–of–state fee and out–of–county or out–of–region fee for certain students; requiring that certain students be included as in–State residents for a certain computation of State aid; defining a certain term; and generally relating to an exemption from the out–of–state and out–of–county fees for BRAC employees and their family members.

BY repealing and reenacting, with amendments,
Article – Education
Section 16–310(a)(1) and (b)(1)

Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 16–310(a)(6) and (b)(4)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 924 – Delegates Shank, Kelly, Myers, and Smigiel

AN ACT concerning

Correctional Services – State Correctional Officers' Bill Of Rights

FOR the purpose of providing for certain rights of a State correctional officer relating to employment, investigation, and discipline under certain circumstances; providing for the procedures for the investigation or interrogation of a State correctional officer; establishing procedures for an application for a show cause order under certain circumstances; establishing a certain limitation on administrative charges against a State correctional officer; providing for procedures for a hearing board for an investigation against a State correctional officer; providing for expungement of a record of a formal complaint against a State correctional officer under certain circumstances; providing for certain disciplinary actions against a State correctional officer under certain circumstances; providing that this Act supersedes inconsistent provisions of any other State or local law that conflicts with this Act to the extent of the conflict; providing for the effect of this Act in relation to the duties of a managing official; prohibiting certain false statements; establishing a criminal penalty for providing a false statement to certain persons; defining certain terms; and generally relating to rights of State correctional officers.

BY adding to
Article – Correctional Services
Section 10–901 through 10–913 to be under the new subtitle "Subtitle 9. State Correctional Officers' Bill of Rights"
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 925 – Delegates Dwyer, Aumann, Bartlett, Bates, Beitzel, Boteler, Burns, Costa, Elliott, Elmore, Frank, George, Haddaway, Impallaria, King, Kipke, Krebs, McComas, McConkey, McDonough, Myers, Norman,

O'Donnell, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, Walkup, and Wood

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland Personhood Amendment

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to establish that the right not to be deprived of life is vested in all human beings, irrespective of age, health, function, physical dependency, or method of reproduction, from the beginning of their biological development; making technical 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
Declaration of Rights
Article 24

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 926 – Delegate Burns

AN ACT concerning

Income Tax Credit – Child Support – Incarcerated Noncustodial Parent

FOR the purpose of allowing certain eligible parents to claim an income tax credit in a certain amount against the State income tax under certain circumstances; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit may not be carried over to any other taxable year; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain eligible parents.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 927 – Delegates Weir, Boteler, Impallaria, Minnick, Sossi, and Stein

AN ACT concerning

Natural Resources – Prohibition on Dredging Buried Oyster Shells on Man–O–War Shoals

FOR the purpose of prohibiting the Department of Natural Resources from dredging buried oyster shells on certain shoals as part of carrying out certain duties; and generally relating to the management of the State's oyster culture by the Department of Natural Resources.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 928 – Delegates Weir and Boteler

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits

FOR the purpose of altering the annual interest rate paid on a security deposit under a residential lease after the end of a tenancy; altering the annual interest rate paid on a security deposit under a residential lease prior to the termination of a tenancy under certain circumstances; altering the interval at which interest shall accrue on a security deposit under a residential lease; providing for the application of this Act; and generally relating to interest on security deposits under residential leases.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–203(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–203(e) and (h)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 929 – Delegates Hubbard, Carr, V. Clagett, Frush, Holmes, Lafferty, Montgomery, Morhaim, Nathan–Pulliam, and Oaks

AN ACT concerning

Agriculture – Fertilizers and Pesticides – Release Reporting

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding the reporting on the release of fertilizers and pesticides; declaring certain findings of the General Assembly; requiring a certain person that releases fertilizers and pesticides to submit a certain report to the Department; requiring the report to contain certain information; requiring the report to be submitted annually beginning on a certain date; requiring the Department to establish the format of the report; requiring the Department to adopt standard naming conventions for certain chemicals and products; requiring that a person that withholds certain information from the report to notify the Department and provide a certain explanation; establishing that this Act does not relieve a person from certain reporting requirements under federal, State, or local laws; authorizing the Department to inspect certain records; requiring certain records to be made available to the Department for inspection at a certain time; requiring the Department to provide notice of a certain inspection of records to a certain person; requiring the Department to serve as the repository for certain records; authorizing the Department to delegate certain data management functions; requiring the Department to coordinate certain data management with the Department of the Environment community right–to–know program; authorizing the Department to share data management resources with other State departments; requiring the Department to establish an online electronic reporting system; requiring the system to allow certain information to be reported; authorizing the Department to adopt certain regulations regarding electronic reporting; authorizing the Department to adopt regulations regarding the public availability of certain information; requiring the Department to adopt regulations to ensure that certain data will not result in the association of a certain person; requiring the Department to adopt regulations to protect the identity of certain persons; limiting access to certain reports to certain persons; prohibiting access to certain reports unless certain requirements are met; requiring the availability of certain administrative and judicial review under certain circumstances; creating a Fertilizer and Pesticide Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have a certain annual revenue target; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to establish a certain fee for individuals required to submit a certain report; requiring a certain fee to be based on certain information; requiring a certain fee to be adjusted annually; prohibiting certain fees from exceeding certain amounts; exempting government agencies from certain fees; authorizing the Department to create certain fee exemptions under certain circumstances; requiring a certain fee to be paid to the Fund by a certain date; requiring the

Department to place a surcharge on certain fees for a certain period of time; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; defining certain terms; and generally relating to fertilizer and pesticide release reporting.

BY adding to
Article – Agriculture
Section 14–101 through 14–403 to be under the new title "Title 14. Fertilizers and Pesticides"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 930 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Bowie Police Dispatch Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Bowie 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 Appropriations.

House Bill 931 – Cecil County Delegation

AN ACT concerning

Cecil County – Public Facilities Bond Bill

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than $13,600,000 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 Appropriations.

House Bill 932 – Delegates Levi, Hubbard, and Holmes

AN ACT concerning

Creation of a State Debt – Prince George's County – After–Care Classroom Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $50,000, the proceeds to be used as a grant to the Board of Directors of the Largo Community 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 Appropriations.

House Bill 933 – Delegates Levi and Holmes

AN ACT concerning

Prince George's County – Roadside Solicitation of Money or Donations – Permit Program

FOR the purpose of authorizing the County Council of Prince George's County or the governing body of a municipal corporation in Prince George's County to enact a permit program to allow certain individuals and certain representatives of fire companies or bona fide religious, fraternal, civic, war veterans', or charitable organizations to stand in a roadway, median divider, or intersection and solicit money or donations from the occupant of a vehicle; requiring that an ordinance or resolution authorized by this Act require that an applicant for a permit submit certain information, provide that a permit is effective for one day, and provide that an individual or a qualified organization may obtain one permit per calendar year; making technical and conforming changes; and generally relating to a permit program for roadside solicitation of money or donations in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 934 – Delegate Smigiel

AN ACT concerning

Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or Standing

FOR the purpose of prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to sit on the floor; making certain conforming changes; and generally relating to a prohibition on permitting pupils to sit on the floor or stand on a school bus.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1118
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 935 – Delegates Bartlett, Elliott, and Stull

AN ACT concerning

Study to Evaluate Strategies to Reduce Deer–Vehicle Collisions

FOR the purpose of requiring the Department of Natural Resources, the Department of Transportation, and the Department of State Police jointly to conduct a study to evaluate strategies to reduce deer–vehicle collisions; requiring the study to include certain reviews, evaluations, and examinations; requiring the departments to use certain personnel and resources in the departments and prohibiting the departments from entering into a contract, agreement, or memorandum of understanding with an outside entity; requiring the departments jointly to submit a report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study to evaluate strategies to reduce deer–vehicle collisions.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 936 – Delegates Serafini, Bartlett, Bates, Beitzel, Boteler, Costa, Donoghue, Dwyer, Eckardt, George, Haddaway, Kelly, Kipke, Krebs, Miller, Myers, Norman, O'Donnell, Schuh, Shank, Shewell, Stukes, Stull, Walker, and Weldon

AN ACT concerning

Education – Public Schools – Student Speech on Religious Issues

FOR the purpose of requiring each county board to treat a student's voluntary expression of a religious viewpoint in the same manner the board treats expression of a secular viewpoint; prohibiting a county board from discriminating against a student based on a religious viewpoint; requiring each county board to adopt a policy establishing a limited public forum for student speakers; providing certain requirements for the policy; requiring a certain disclaimer required by this Act to be provided under certain circumstances; prohibiting student expression from being excluded from the limited public forum because it is expressed from a religious viewpoint; allowing students to express religious beliefs in written and oral school assignments; prohibiting a student from being penalized or rewarded on account of the religious content of the student's school assignments; requiring a student's school assignment to be judged by certain standards; allowing students to organize certain religious gatherings to the same extent that other noncurricular student groups are allowed; requiring religious groups be given the same access to school facilities as is given to other noncurricular groups; requiring religious groups to be allowed to advertise or announce meetings to the same extent that secular groups are allowed to advertise or announce meetings; authorizing a school or county board to disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in religious activity; authorizing the Attorney General to bring a certain action to enforce the requirements of this Act; providing the text of a certain model policy; defining a certain term; and generally relating to religious expression in public schools.

BY adding to
Article – Education
Section 7–104.1 and 7–104.2
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 937 – Delegates F. Turner, Beitzel, Cane, DeBoy, Doory, Guzzone, Holmes, Jennings, Kirk, McDonough, McHale, Miller, Minnick, Pena–Melnyk, Pendergrass, Proctor, Rice, Serafini, and Stukes

AN ACT concerning

Higher Education – Student Financial Assistance – Retention of Unused Funds

FOR the purpose of requiring certain money retained in the State budget at the end of a fiscal year to be used to make awards to students during subsequent fiscal years under the Edward T. Conroy Memorial Scholarship Program and the Veterans of the Afghanistan and Iraqi Conflicts Scholarship; and generally relating to the funding of certain student financial assistance programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–107
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 938 – Delegates Levi, Vallario, Haynes, Rice, and Vaughn

AN ACT concerning

Correctional Services – Inmate Earnings – Compensation for Victims of Crime

FOR the purpose of adding to a list of deductions that the Department of Public Safety and Correctional Services is required to take from an inmate's earnings a requirement that the Department pay compensation for victims of crime in accordance with certain provisions; requiring the Department to withhold a certain amount of the earnings of an inmate in a certain program for compensation for victims of crime; requiring the Department to allocate earnings that are withheld in a certain manner; establishing that compliance with a judgment of restitution is a required condition of work release if work release is allowed; applying certain provisions relating to responsibility for the administration of payments of restitution to the Department instead of to the Division of Parole and Probation; requiring the Department to submit a certain report by a certain date; and generally relating to compensation for victims of crime.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–604
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 11–607
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 939 – Delegates Smigiel, Frank, and McConkey

AN ACT concerning

Public Broadcasting – Maryland Public Television Freedom in Broadcasting Act

FOR the purpose of requiring the Maryland Public Broadcasting Commission or a division of the Commission, when entering into a contractual relationship with the State or an entity of the State for television broadcasting services, to include a provision in the contract to allow the Commission or a division of the Commission to select the events it will film and broadcast; and generally relating to the Maryland Public Broadcasting Commission.

BY repealing and reenacting, without amendments,
Article – Education
Section 24–201
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 24–205
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 940 – Delegates Carter, Oaks, Tarrant, Robinson, Conaway, Rosenberg, and Gutierrez

SECOND PRINTING

AN ACT concerning

Continuing Care Retirement Communities – Construction – Environmental Impact Statement

FOR the purpose of requiring a feasibility study prepared by certain continuing care providers to include certain information for certain proposed projects; providing that the Department of Aging may approve a feasibility study under certain circumstances if the Department makes a certain determination in consultation with the Department of the Environment; and generally relating to the construction of continuing care retirement communities.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 10–409
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 941 – Cecil County Delegation

AN ACT concerning

Cecil County – Tobacco Products – Distribution to Minors

FOR the purpose of prohibiting a person from distributing certain tobacco–containing and tobacco–related products to a minor in Cecil County; establishing a certain civil infraction and certain civil penalty; authorizing a certain law enforcement officer in Cecil County to issue certain civil citations in certain circumstances; requiring certain persons issued a certain citation in Cecil County to file a certain notice with a certain District Court in order to elect to stand trial for a certain offense; and generally relating to the distribution of tobacco products to minors in Cecil County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–102.1, 15–103, and 15–104
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 942 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Local Detention Center – County's Authority to Continue Management

FOR the purpose of providing that the County Commissioners of Queen Anne's County, may authorize, by resolution or law, the Warden of the County Detention Center to continue the management of the County Detention Center; and generally relating to the Queen Anne's County Detention Center.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–201
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 943 – Delegate Smigiel

AN ACT concerning

Local Government – Collective Bargaining Referendum – Local Ordinance Prohibition

FOR the purpose of prohibiting a county from enacting certain prohibitions on collective bargaining by county employees under certain conditions; authorizing a county under certain conditions to submit a certain local law for referendum; establishing that a certain local law enacted under certain conditions shall not take effect unless approved by referendum; requiring a county governing body and board of elections to take certain actions to provide for and hold a certain referendum; and generally relating to collective bargaining of county employees.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 23–101 to be under the new title "Title 23. Collective Bargaining"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 944 – Delegates Love, Barnes, Costa, Doory, Dumais, Glenn, Kipke, Olszewski, Pena–Melnyk, Robinson, and Rudolph

AN ACT concerning

Commission on the Establishment of a Maryland Women in Military Service Monument – Extension of Termination Date

FOR the purpose of codifying the provisions of law enacted in 2006 that created and provided for the membership, staff, and duties of the Commission on the Establishment of a Maryland Women in Military Service Monument; providing

for the termination date for the Commission; repealing a certain termination date in certain prior Acts of the General Assembly relating to the Commission that are rendered obsolete by this Act; and generally relating to the Commission on the Establishment of a Maryland Women in Military Service Monument.

BY adding to
Article – State Government
Section 9–8A–01 to be under the new subtitle "Subtitle 8A. Commission on the Establishment of a Maryland Women in Military Service Monument"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 281 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 282 of the Acts of the General Assembly of 2006
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 945 – Delegate McDonough

AN ACT concerning

Education Funding – Transfer of Funds from Land Preservation Programs

FOR the purpose of transferring certain funds in the State budget from certain land preservation programs to the General State School Fund under certain circumstances; requiring that funds transferred under this Act shall be used only for certain purposes; and generally relating to transferring funds from land preservation programs to the General State School Fund.

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

House Bill 946 – Delegates Love, Busch, V. Clagett, George, Barnes, Beidle, Costa, Frush, Kipke, Pena–Melnyk, Schuh, and Sophocleus

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 $500,000, the proceeds to be used as a grant to the Board of Directors of the 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; 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 Appropriations.

House Bill 947 – Montgomery County Delegation

AN ACT concerning

Transportation – Highway User Revenues – Highway Maintenance

MC 903–09

FOR the purpose of altering the allocation of certain transportation revenues among political subdivisions; requiring that a certain portion of certain transportation revenues be allocated to Montgomery County; requiring the State Highway Administration to transfer to Montgomery County all responsibility for maintenance of certain State highways located in Montgomery County on or before a certain date; and generally relating to the allocation of highway user revenues to political subdivisions and the maintenance of State highways in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–304(a), 8–401(a) and (d), and 8–402
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–403, 8–404, and 8–405
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 948 – Delegates Kaiser, Gilchrist, Olszewski, Rice, Ross, Stukes, and Walker

AN ACT concerning

Higher Education – Part–Time Grant Program – Eligibility

FOR the purpose of altering a certain definition to change the number of semester hours of courses in which a student must be enrolled in order to qualify as a

part–time student for a certain grant program; and generally relating to eligibility for the Part–Time Grant Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1401
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 949 – Delegates Sossi, Smigiel, Eckardt, Haddaway, and Walkup

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
(2008 Replacement Volume)

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

House Bill 950 – Delegates Kelly, Vallario, Dumais, Dwyer, Frank, Kramer, Lee, McComas, McConkey, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Law Enforcement Officers – Unsubstantiated Complaints – Admissibility

FOR the purpose of providing that evidence of a certain complaint against a law enforcement officer is not admissible in a certain proceeding if the complaint resulted in a certain outcome; and generally relating to the admissibility of evidence relating to a law enforcement officer.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–110
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 951 – Delegates Hubbard, Ali, Anderson, Benson, Bobo, Bronrott, Frush, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Hucker, Kirk, Manno, Oaks, Ross, F. Turner, and V. Turner

AN ACT concerning

Health Care Affordability Act of 2009

FOR the purpose of establishing a Maryland Institute for Clinical Value; establishing the purpose of and requirements for the Institute; establishing a Value–Based Advisory Committee in the Institute; establishing the purpose and composition of the Committee; establishing a Citizens Advisory Council in the Institute; establishing the purpose, composition, and responsibilities of the Council; establishing a Maryland Prevention Trust for Health Promotion in the Institute; establishing the purpose and responsibilities of the Trust; altering eligibility requirements for the Maryland Medical Assistance Program; requiring the Department of Health and Mental Hygiene to collect a certain premium from certain enrollees; authorizing an individual who is eligible for the Program and who is offered employer–sponsored insurance to make a certain election, under certain circumstances; requiring the Program to pay a certain portion of a health insurance premium or a certain subsidy, under certain circumstances; establishing an Evidence–Based Prescriber Education and Outreach Program in the Department; establishing the purpose and requirements of the Program; requiring the Department, beginning on a certain date and in consultation with certain health occupation boards, to work with the University of Maryland School of Pharmacy for a certain purpose; authorizing the Department to contract with the School of Pharmacy to administer the Program; authorizing the Department to adopt certain regulations; establishing an Evidence–Based Prescriber Education and Outreach Program Fund; establishing the purpose, administration, sources and uses of the Fund; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring certain pharmaceutical manufacturers and labelers to pay a certain fee to the Department; authorizing the Department to reduce the fee under certain circumstances; requiring the Department to deposit all fees collected in the Fund; establishing a Maryland Health Insurance Pool as an independent unit of State government; establishing the purpose of the Pool; providing that the exercise by the Pool of certain powers is the performance of an essential public function; requiring the Pool to be subject to the State Open Meetings Law and the State Tort Claims Act; exempting the Pool from certain provisions of State law; establishing a Board of Directors of the Pool; requiring the Pool to operate subject to the supervision and control of the Board; providing for the membership of the Board; providing that a member of the Board is entitled to reimbursement for certain expenses; providing for the powers, duties, staffing, and election of a chairman and vice–chairman of the

Board; establishing eligibility requirements for participation in the Pool; requiring, on or before a certain date, the Pool to be the sole mechanism for creditable coverage for certain individuals and a carrier to only insure or offer to insure certain individuals as a participating carrier in the Pool; requiring the Pool to offer certain health benefit plans; establishing certain requirements for the Board and participating carriers with respect to loss ratios, benefit packages, issuance, renewal, and rates of health benefit plans offered through the Pool; requiring the Board, on or before a certain date, to make a certain determination; authorizing the Board, based on its determination, to take certain actions with response to certain individuals seeking to enroll in the Pool; requiring health benefit plans offered through the Pool to incorporate certain chronic care improvement and preventive health measures; requiring the Pool to subsidize health benefit plan coverage for certain enrollees; establishing certain requirements for the subsidy; establishing a Maryland Catastrophic Reinsurance Benefit Plan; establishing the administration, purpose, requirements, and funding of the Plan; establishing a Healthy Maryland Fund; establishing the purpose, administration, sources, and uses of the Fund; requiring the Board to maintain a separate account within the Fund for the Senior Prescription Drug Assistance Program; requiring the Board to expend certain amounts for certain purposes; requiring the Treasurer to invest the money of the Fund in a certain manner; providing that any investment earnings of the Fund shall be retained to the credit of the Fund; requiring expenditures from the Fund to be made only in accordance with the State budget; requiring an employer to pay to the Secretary of the Department of Labor, Licensing, and Regulation a certain amount; prohibiting an employer from deducting a certain payment from the wages of an employee; requiring an employer to make a certain payment to the Secretary on a certain periodic basis; establishing a certain penalty for failure to make the payment; requiring the Secretary to adopt certain regulations and pay certain revenue into the Healthy Maryland Fund; altering the authorized uses for the Cigarette Restitution Fund; requiring, beginning in a certain fiscal year, certain revenue realized by the Fund to be deposited into the Healthy Maryland Fund; altering certain alcoholic beverage tax rates; requiring certain additional alcoholic beverage tax revenue to be distributed to the Healthy Maryland Fund; altering certain tobacco tax rates; specifying the amount of tobacco tax revenue to be distributed to the General Fund; requiring certain tobacco tax revenue to be distributed to the Healthy Maryland Fund; imposing a penalty on the income tax of certain individuals; providing that the penalty does not apply if certain individuals had certain health care coverage; requiring the Comptroller to provide for certain exceptions for certain individuals; requiring the Board of Directors of the Maryland Health Insurance Pool to provide certain information to the Comptroller for a certain purpose; requiring a taxpayer to indicate on the income tax return the presence of certain health care coverage; requiring the Comptroller to distribute certain revenues from the penalty to the Healthy Maryland Fund; providing for the application of the tobacco tax to certain cigarettes; requiring the Comptroller to publicize certain requirements for a certain purpose; providing for a delayed effective date for certain provisions of

this Act; making certain conforming changes; defining certain terms; and generally relating to the Health Care Affordability Act of 2009.

BY repealing
Article – Insurance
Section 14–501 through 14–509
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Article – Labor and Employment
Section 8.5–101 through 8.5–107
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Health – General
Section 13–2801 through 13–2805 to be under the new subtitle "Subtitle 28. Maryland Institute for Clinical Value"; and 21–2B–01 through 21–2B–04 to be under the new subtitle "Subtitle 2B. Evidence–Based Prescriber Education and Outreach Program"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a) and 19–214(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–201(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–510, 14–512(a), and 14–513
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 14–801 through 14–813 to be under the new subtitle "Subtitle 8. Maryland Health Insurance Pool"; and 14–901 and 14–902 to be under the new subtitle "Subtitle 9. Healthy Maryland Fund"

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Labor and Employment
Section 8.5–101 through 8.5–104
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 7–317(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–317(f) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–301, 2–1603, 5–105, and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 2–1604 and 10–106.2
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 952 – Delegates Hubbard, Costa, Krebs, and Weldon

AN ACT concerning

Continuing Care – Department of Aging and Maryland Insurance Administration – Transfer of Oversight

FOR the purpose of transferring oversight of continuing care from the Department of Aging to the Maryland Insurance Administration; requiring the Administration, in consultation with certain groups, to conduct a certain review and to provide a certain report to the General Assembly on or before a certain date; making

certain stylistic and technical changes; requiring the publisher of the Annotated Code of Maryland to make certain corrective changes; 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 the oversight of continuing care.

BY transferring
Article – Human Services
Section 10–401 through 10–405 and the part "Part I. Definitions; General Provisions"; 10–407 through 10–416 and the part "Part II. Continuing Care in a Retirement Community – Certificates of Registration"; 10–419 through 10–429 and the part "Part III. Providers"; 10–432 through 10–441 and the part "Part IV. Facilities and Assets"; 10–444 through 10–450 and the part "Part V. Continuing Care Agreements"; 10–453 through 10–460 and the part "Part VI. Continuing Care at Home"; 10–463 through 10–469 and the part "Part VII. Financial Review"; 10–472 through 10–493 and the part "Part VIII. Delinquency Proceedings"; and 10–496 through 10–499 and the part "Part IX. Prohibited Acts; Penalties; Remedies", and the subtitle "Subtitle 4. Continuing Care", respectively
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)
to be
Article – Insurance
Section 30–101 through 30–105 and the subtitle "Subtitle 1. Definitions; General Provisions"; 30–201 through 30–210 and the subtitle "Subtitle 2. Continuing Care in a Retirement Community – Certificates of Registration"; 30–301 through 30–311 and the subtitle "Subtitle 3. Providers"; 30–401 through 30–410 and the subtitle "Subtitle 4. Facilities and Assets"; 30–501 through 30–507 and the subtitle "Subtitle 5. Continuing Care Agreements"; 30–601 through 30–608 and the subtitle "Subtitle 6. Continuing Care at Home"; 30–701 through 30–707 and the subtitle "Subtitle 7. Financial Review"; 30–801 through 30–822 and the subtitle "Subtitle 8. Delinquency Proceedings"; and 30–901 through 30–904 and the "Subtitle 9. Prohibited Acts; Penalties; Remedies", and the title "Title 30. Continuing Care", respectively
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 30–101, 30–102, 30–103, 30–105, 30–201, 30–202, 30–203, 30–204, 30–205, 30–206, 30–207, 30–208, 30–209, 30–210, 30–302, 30–303, 30–304, 30–305, 30–306, 30–307, 30–309, 30–311, 30–401, 30–402, 30–403, 30–404, 30–405, 30–406, 30–407, 30–409, 30–410, 30–501, 30–502, 30–503, 30–601, 30–602, 30–603, 30–604, 30–605, 30–606, 30–607, 30–608, 30–701, 30–702, 30–703, 30–704, 30–705, 30–706, 30–707, 30–801, 30–802, 30–803, 30–804, 30–805, 30–806, 30–807,

30–808, 30–809, 30–810, 30–813, 30–814, 30–816, 30–817, 30–818, 30–819, 30–820, 30–821, 30–822, 30–901, 30–902, 30–903, and 30–904 Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 30–102
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 503 of the Acts of the General Assembly of 2007 and Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 953 – Delegates Love, Beidle, V. Clagett, King, Kipke, and Sophocleus

AN ACT concerning

Fire, Rescue, and Emergency Medical Services in Anne Arundel County – Agreements with Federal Government – Reimbursement

FOR the purpose of requiring that, in Anne Arundel County, any agreement entered into under a certain provision of law between a fire, rescue, or emergency medical services entity and the federal government to provide fire fighting or rescue activities on certain property shall include a provision that entitles the fire, rescue, or emergency medical services entity to obtain a certain reimbursement from the appropriate federal authority; and generally relating to agreements between the federal government and fire, rescue, and emergency medical services entities in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–104
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 7 – ~~Senator Glassman~~ Senators Glassman, Colburn, Conway, Dyson, Garagiola, Greenip, Harrington, Harris, Jacobs, Jones, Klausmeier, Lenett, and Stone

AN ACT concerning

State Government – Flags – Made in USA

FOR the purpose of requiring ~~a flag of the United States or a State flag~~ certain flags to be manufactured in the United States under certain circumstances.

BY adding to
Article – State Government
Section 13–206
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 72 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Higher Education – Institutions of Postsecondary Education – Exempt Institutions

FOR the purpose of prohibiting certain institutions of postsecondary education that are exempt from approval by the Maryland Higher Education Commission from making certain references and representations; establishing certain penalties for certain violations; and generally relating to references and representations by certain institutions of postsecondary education.

BY repealing and reenacting, without amendments,
Article – Education
Section 11–202(c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 11–202(h) and (i)
Annotated Code of Maryland
(2008 Replacement Volume)

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

Senate Bill 162 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Alcoholic Beverages – Resident Dealer's Permit

FOR the purpose of authorizing the Comptroller to issue a resident dealer's permit to certain persons; altering the fee for certain permits; specifying a permit fee; requiring that alcoholic beverages sold under the permit be sold through a licensed wholesaler; prohibiting certain persons from being issued a resident dealer's permit; prohibiting a holder of a permit from owning or operating a warehouse; making a holder of a resident dealer's permit subject to certain restrictions; requiring a resident dealer to file a certain tax return on or before a certain date and pay a certain tax; defining a certain term; and generally relating to resident dealer's permits.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(b)(1)(i) and (k), 2–301(b)(1), 12–102(a) and (b), 12–103(c) and (e), 12–104(a), (c), and (d), and 15–205(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(w)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 12–104(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 5–101 and 5–301(e) and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 5–201(e)

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 57)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 65 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation) and Senators Kasemeyer, McFadden, Robey, Brinkley, Edwards, Jones, King, Kramer, Madaleno, Munson, Peters, Stoltzfus, and Zirkin

EMERGENCY BILL

AN ACT concerning

State Retirement and Pension System – Line of Duty Death Benefits – Maryland Transportation Authority Employees

Read the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 58)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 59)

ADJOURNMENT

At 10:39 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 13, 2009.

Annapolis, Maryland
Friday, February 13, 2009

The House met at 11:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 60)

The Journal of February 12, 2009 was read and approved.

EXCUSES:
Del. Barnes – illness
Del. Cane – illness
Del. Kirk – illness
Del. Olszewski – funeral
Del. Schuler – doctor's appointment

INTRODUCTION OF BILLS

House Bill 954 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Prohibition on Sale of Single Beers in Glass Bottles

PG 320–09

FOR the purpose of authorizing holders of certain alcoholic beverages licenses in Prince George's County to sell single beers for consumption off the premises only in cans or plastic containers; prohibiting holders of licenses from selling single beers for consumption off the premises in glass bottles; providing certain penalties; and generally relating to alcoholic beverages in Prince George's County.

BY adding to
Article 2B – Alcoholic Beverages

Section 12–217.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 955 – Delegate V. Clagett

AN ACT concerning

Maryland Horse Industry Board – Equine Activities

FOR the purpose of providing that certain activities are not subject to certain provisions of law relating to the Maryland Horse Industry Board; requiring that equine activities be treated as agricultural activities for the purposes of certain provisions of law; defining a certain term; and generally relating to the Maryland Horse Industry Board and equine activities.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–701 and 2–702
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Agriculture
Section 2–702.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 956 – Cecil County Delegation

AN ACT concerning

Cecil County – Collective Bargaining – Representation of Deputy Sheriffs

FOR the purpose of authorizing the representatives of certain full–time sworn law enforcement deputy sheriffs in the Cecil County Sheriff's Office and the County Commissioners of Cecil County to bargain collectively with the Sheriff and the County Commissioners on certain issues; authorizing certain sworn law enforcement deputy sheriffs to take or refrain from taking certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization, the Sheriff, and the

County Commissioners to follow certain procedures for collective bargaining; providing for certain means to resolve a dispute if the certified labor organization and the Sheriff and the County Commissioners are unable to negotiate a certain agreement; requiring a collective bargaining agreement to contain certain matters; providing for certain rights and responsibilities of the Sheriff that are not impaired by the provisions of this Act; requiring that any additional funding required as a result of a certain agreement be subject to approval by the County Commissioners; providing a certain cost sharing cap for certain costs associated with this Act; providing for the construction of this Act; and generally relating to collective bargaining of deputy sheriffs in Cecil County.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(i)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 957 – Delegate Hubbard

AN ACT concerning

Office of the Treasurer – Community Services Trust Fund – Restructuring

FOR the purpose of altering the purpose of the Community Services Trust Fund in the Office of the Treasurer; repealing an account holding certain proceeds from the sale or long–term lease of property and equipment resulting from the sale or long–term lease of Mental Hygiene Administration facilities and certain provisions of law relating to the transfer of funds from the account; and generally relating to the repeal of the Mental Hygiene Administration account of the Community Services Trust Fund.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 24–1101
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–1102, 24–1103, 24–1104, and 24–1105
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 958 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public School Construction – Joint Signature Letter and State Funding

PG 404–09

FOR the purpose of prohibiting the annual submission of a certain letter to the Interagency Committee on School Construction without the signatures of the Senate and House chairs of the Prince George's County delegation to the General Assembly; requiring the Board of Public Works to include planning and design as an eligible public school construction or capital improvement cost for Prince George's County; requiring the Board of Public Works to adopt certain regulations; and generally relating to public school construction in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Education
Section 5–307.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 959 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Green Businesses – Tax Credits

PG 401–09

FOR the purpose of authorizing the governing body of Prince George's County to grant, by law, a tax credit against the county property tax imposed on certain property owned or leased by certain businesses; authorizing the governing body of Prince George's County to provide, by law, for eligibility and certification

criteria for the credit, the amount and duration of the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Prince George's County for certain property owned or leased by certain businesses.

BY adding to
Article – Tax – Property
Section 9–318(f)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 960 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Elected Members Benefits

PG 407–09

FOR the purpose of providing that certain elected members of the Prince George's County Board of Education are entitled to certain health insurance and other fringe benefits provided to certain employees of the Board of Education; and generally relating to benefits for elected 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 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 961 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Developers Receiving State Funding – Compliance with Minority Business Enterprise Goals

PG 410–09

FOR the purpose of requiring entities that receive certain direct or indirect funding from the State for a certain development project located in Prince George's

County to comply with certain minority business enterprise goals under certain circumstances; requiring Prince George's County to conduct a certain study and report the results of the study to certain entities on or before a certain date; providing for the effective dates of this Act; and generally relating to development projects and minority business enterprises in Prince George's County.

BY adding to
Article – Economic Development
Section 14–201 to be under the new subtitle "Subtitle 2. Compliance with Minority Enterprise Goals"
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 962 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Wine Festival License

PG 322–09

FOR the purpose of authorizing the Prince George's County Board of License Commissioners to issue a wine festival license to certain persons for the sale of wine at the Prince George's County Wine Festival; establishing certain licensing requirements; requiring license holders to display and sell certain wine; providing for a license fee; requiring the Board to set the date and location for the Festival and to assure that the primary focus of the Festival is the promotion of Maryland wine; establishing certain requirements concerning the delivery and return of products displayed and sold at the Festival; requiring the Board to adopt certain regulations; defining certain terms; and generally relating to an alcoholic beverages license issued for the Prince George's County Wine Festival.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–310.2
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 963 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Public Consumption and Open Containers – Penalties

PG 326–09

FOR the purpose of altering in Prince George's County the penalties for violating certain prohibitions against the public consumption of alcoholic beverages or the public possession of an open container of alcoholic beverages to include the possibility of certain terms of incarceration; making certain stylistic changes; and generally relating to penalties for alcoholic beverages violations in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 19–202, 19–203, 19–301(b), and 19–303(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 19–204 and 19–302
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 964 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licenses – Application Requirements

PG 315–09

FOR the purpose of requiring, in Prince George's County, that an application for an alcoholic beverages license contain a statement, if the applicant is not a citizen of the United States, that the applicant is in legal status in accordance with federal law; requiring, in Prince George's County, that an applicant who is in legal status show proof of the applicant's legal status; and generally relating to applications for alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–103(b)(3) and (6)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 10–103(b–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 965 – Delegates Sossi, Eckardt, Elliott, Frank, Haddaway, Krebs, Smigiel, Stocksdale, and Walkup

AN ACT concerning

Department of Planning – Advisory Role to Municipal and County Governments

FOR the purpose of authorizing the Department of Planning to act only as an advisory agency with respect to a county or municipality; and generally relating to the authority of the Department of Planning.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–302
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 966 – Delegate Barnes

AN ACT concerning

Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child

FOR the purpose of prohibiting the driver of a motor vehicle in which a person who is under a certain age is a passenger from smoking a tobacco product or allowing a passenger to smoke in the motor vehicle; establishing a penalty for a violation of this Act; providing that a violation of this Act is not a moving violation; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to
Article – Transportation

Section 21–1127 and 27–115
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 967 – Delegates George, Barnes, Braveboy, Costa, Frush, King, Kipke, Pena–Melnyk, Schuh, and Stukes

AN ACT concerning

Local Correctional Facilities – New Construction – Residential Programs for Substance Abuse Treatment

FOR the purpose of requiring any application for certain financial assistance related to the construction, enlargement, or maintenance of a local correctional facility, to include a plan for a residential program for substance abuse treatment that meets certain criteria and a plan to employ best practices for certain purposes related to the inmate population; and generally relating to residential programs for substance abuse treatment for local correctional facilities.

BY adding to
Article – Correctional Services
Section 11–108
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

House Bill 968 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Creation of a State Debt – Prince George's County – Greenbelt Consumer Cooperative 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 Greenbelt Consumer Cooperative, 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 Appropriations.

House Bill 969 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Bottle Clubs

PG 316–09

FOR the purpose of prohibiting certain bottle clubs in Prince George's County from evading certain laws relating to hours of operation and to the selling, giving, serving, dispensing, keeping, or allowing to be consumed alcoholic beverages and certain other beverages; repealing a provision rendered unnecessary by this Act; defining a certain term; and generally relating to bottle clubs in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 20–108.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 970 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Winery Special Event Permits – Farmers' Markets

PG 310–09

FOR the purpose of authorizing a limited winery to be issued a certain number of winery special event permits for use at certain farmers' markets in Prince George's County; prohibiting a holder of a winery special event permit from selling wine by the glass at a farmers' market; and generally relating to winery special event permits used at farmers' markets in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 971 – Delegates Ivey, Anderson, Barnes, Braveboy, Dumais, Eckardt, Jennings, Kullen, Lee, Levi, Montgomery, Niemann, Ramirez, V. Turner, Valderrama, and Vallario

AN ACT concerning

Domestic Violence – Duration of Protective Order – Subsequent Act of Abuse

FOR the purpose of extending the maximum duration of a final protective order under certain circumstances; and generally relating to domestic violence and the duration of a final protective order.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 972 – Delegate Kach

AN ACT concerning

Health Insurers – RBC Reduction Plan

FOR the purpose of requiring each health insurer to notify the Insurance Commissioner on a certain date if the RBC level of the health insurer exceeds a certain product; requiring each health insurer filing a certain notification to also file an RBC reduction plan for a certain purpose; requiring the RBC reduction plan to consider certain items; requiring the Commissioner to take certain actions with regard to the RBC reduction plan; authorizing an insurer to challenge certain actions by the Commissioner; defining a certain term; and generally relating to RBC levels and RBC reduction plans filed by health insurers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 4–301(a), (n), and (o)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 4–301(p) and 4–315
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–301(p), (q), and (r) and 4–309
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 973 – Delegate V. Clagett

AN ACT concerning

Maryland Horse Industry Fund – Assessments on Commercial Equine Feed

FOR the purpose of altering the amount of the assessment that the Secretary of Agriculture may impose on commercial equine feed sold in the State; and generally relating to the authority of the Secretary of Agriculture to impose assessments on commercial equine feed.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–107.2
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 974 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – Leadership Through Athletics Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $35,000, the proceeds to be used as a grant to the Board of Directors of Leadership Through Athletics, 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 Appropriations.

House Bill 975 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Conway, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Clarification and Simplification

FOR the purpose of altering the definition of "military service" as it relates to service credit for members of State or local retirement or pension systems to include active and inactive duty for training; providing certain death and disability benefits to certain individuals who are members of a State or local retirement or pension system who die or becomes disabled on or after a certain date while performing certain military service; requiring a State or local retirement or pension system to provide certain benefits to certain individuals depending on certain choices the State or local retirement system may make with regard to the distribution of certain benefits; clarifying that certain members of the Maryland National Guard who are on active or inactive duty for training that interrupts the member's service may receive a certain amount of service credit under certain circumstances; repealing certain obsolete language; and generally relating to clarifying and simplifying the military service credit provisions for the State or local retirement or pension systems.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–101(d), 38–102, and 38–103(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 976 – Carroll County Delegation

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 $42,000,000 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 Appropriations.

House Bill 977 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Conway, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Compliance with Federal Tax Provisions

FOR the purpose of prohibiting the Board of Trustees for the State Retirement and Pension System from using certain forfeitures of benefits for certain purposes; requiring that certain forfeitures of benefits be used for certain purposes; providing that the State Retirement Agency may make certain payments to certain eligible retirement plans specified by certain designated beneficiaries of a member of the State Retirement and Pension System; allowing certain members of the State Retirement and Pension System to make direct rollovers of certain distributions on or after a certain date; providing that an eligible rollover distribution includes certain distributions to certain spouses or former spouses of members of the State Retirement and Pension System; providing that distributions totaling less than a certain amount are not eligible rollover distributions; clarifying that certain portions of distributions remain eligible rollover distributions even if these portions consist of certain employee contributions; limiting the investment options that may be used for transfers of certain portions of eligible rollover distributions; providing that certain investment options be considered in a certain manner; altering certain definitions; altering the application of a certain Act to apply to certain members or retirees of the State Retirement and Pension System who request certain beneficiary changes on or after a certain date; and generally relating to

conforming the State Retirement and Pension System to certain federal tax legislation.

BY adding to
Article – State Personnel and Pensions
Section 20–209
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–601 and 21–602
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 500 of the Acts of the General Assembly of 2005
Section 2

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

House Bill 978 – Delegate Niemann

AN ACT concerning

Task Force to Study Motor Vehicle Towing Practices – Extension

FOR the purpose of extending the expiration date for the Task Force to Study Motor Vehicle Towing Practices; extending the due date by which the Task Force is required to report its findings and recommendations; and generally relating to the Task Force to Study Motor Vehicle Towing Practices.

BY repealing and reenacting, with amendments,
Chapter 514 of the Acts of the General Assembly of 2008
Section 1 and 2

Read the first time and referred to the Committee on Environmental Matters.

House Bill 979 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Homestead Tax Credit Percentage

PG 414–09

FOR the purpose of setting the homestead credit percentage for Prince George's County at a certain percentage for certain taxable years; and generally relating to the homestead property tax credit allowed against the Prince George's County property tax for certain taxable years.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(e)(5)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 980 – Delegates Ali, Barve, Ivey, Olszewski, Rice, Boteler, Bronrott, Carr, Glenn, McComas, Robinson, Shank, and Valderrama

AN ACT concerning

Web–Based Campaign Finance Reporting Act

FOR the purpose of requiring that campaign finance reports be filed with the State Board of Elections using a secure Internet website maintained by the State Board; requiring the State Board to control access to the website through certain protocols to guard against the disclosure of certain nonpublic information filed by a campaign finance entity; authorizing the State Board to exempt certain campaign finance entities from using the secure Internet website to file campaign finance reports; requiring the State Board to maintain and provide the public access to certain campaign finance reports that are filed using the board's secure Internet website; requiring the State Board to develop specifications for submitting campaign finance reports using the board's secure Internet website; repealing provisions relating to the filing of certain campaign finance reports using a certain electronic storage medium; repealing provisions that required the State Board to supply certain persons with certain software and disks or other media on which to file campaign finance reports; and generally relating to the Web–Based Campaign Finance Reporting Act.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–324
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 981 – Prince George's County Delegation

AN ACT concerning

Prince George's County Deputy Sheriffs – Transfer of Service Credit

PG 302–09

FOR the purpose of providing that certain members of the Employees' Pension System may transfer certain service credit from the Employees' Pension System to the Prince George's County Deputy Sheriff's Comprehensive Pension Plan in a certain manner; requiring that the Board of Trustees of the State Retirement and Pension System transfer certain funds to the administrative board of the Prince George's County Deputy Sheriff's Comprehensive Pension Plan; requiring that certain members of the Employees' Pension System who transfer service credit to the Prince George's County Deputy Sheriff's Comprehensive Pension Plan receive a certain amount of service credit; requiring that certain members of the Employees' Pension System who transfer certain service credit from the Employees' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; providing for the termination of this Act; and generally relating to the transfer of service credit for Prince George's County Deputy Sheriffs.

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

House Bill 982 – Delegates Morhaim and Hammen

AN ACT concerning

Health Occupations – Licensure of Physician Assistants

FOR the purpose of requiring an individual to be licensed rather than certified by the State Board of Physicians before the individual may practice as a physician assistant; prohibiting a physician assistant from practicing within the scope of certain health occupations; altering the composition of the Physician Advisory Committee within the Board; repealing the authority of the Governor to remove a member of the Physician Advisory Committee under certain circumstances; authorizing the Executive Director of the Board and certain agents or investigators to enter certain premises under certain circumstances; authorizing the Board to impose certain monetary penalties; altering the distribution of certain fees; requiring a primary supervising physician to delegate certain medical acts to licensed physician assistants; prohibiting physicians from supervising physician assistants in the performance of delegated medical acts without submitting certain delegation agreements to the Board; authorizing physicians to delegate prescriptive authority to physician assistant students in training programs; altering requirements for the content, review, approval, and expiration of certain delegation agreements; repealing certain fees for the review and approval of certain agreements; authorizing designated alternate supervising physicians to assume certain duties; altering certain procedures for pending delegation agreements; repealing certain requirements for the Board to

approve certain delegation agreements, including approval for writing medication orders; authorizing certain appeals to a certain hearing panel; repealing certain language relating to the Physician Assistant Rehabilitation Program; altering certain quorum requirements; altering certain hearing procedures; requiring the Board to suspend or order the revocation of certain licenses under certain circumstances; requiring certain organizations and employers to report to the Board certain actions that may be grounds for discipline of a physician assistant; making certain exceptions for alcohol– or drug–impaired physician assistants; making certain stylistic and technical changes; and generally relating to the licensure of physician assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 15–101, 15–102, 15–202, 15–203, 15–205, 15–206, 15–301, 15–302, 15–302.1, 15–302.2, 15–302.3, 15–303, 15–304, 15–306, 15–307, 15–308, 15–309, 15–310, 15–311, 15–312, 15–314, 15–315, 15–401, 15–402, and 15–403
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health Occupations
Section 15–305 and 15–313
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 15–302.4, 15–305, 15–315, 15–316, and 15–402.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 983 – Delegates Stukes and Cardin

AN ACT concerning

Recordation and Transfer Tax – Controlling Interest Transfers

FOR the purpose of altering the definition of real property entity for purposes of certain provisions imposing recordation and transfer taxes on certain transfers of a controlling interest in certain entities; requiring the articles of organization of a limited liability company to include the name and address of certain organizers, members, and authorized persons; requiring the State Department of Assessments and Taxation to determine whether a certain tax is owed when

certain amendments to the articles of organization of a limited liability company are filed; and generally relating to imposing the recordation and transfer tax on certain transfers of a controlling interest in certain real property entities.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–117(a)(6) and (g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 12–117(b)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 4A–101(a) and (c) and 4A–204(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 4A–204(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 984 – Delegates Frick and Mizeur

AN ACT concerning

Consumer Protection – Home Heating Oil Contracts – Right to Terminate or Renegotiate

FOR the purpose of requiring a person that sells home heating oil to a consumer under an oral or written contract with a certain term to allow the consumer to terminate or renegotiate the contract under certain circumstances; prohibiting a person from imposing a fee, charge, or other penalty on a consumer who exercises certain rights; and generally relating to contracts for home heating oil.

BY adding to
Article – Commercial Law
Section 13–320
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 985 – Delegates Conaway, Anderson, Boteler, and Kelly

AN ACT concerning

Criminal Law – Self–Defense – Immunity for Use of Physical Force in Defense of Dwelling or Place of Business

FOR the purpose of establishing that an occupant of a dwelling or place of business is justified in using any degree of physical force, including deadly physical force, against another person when that other person has made an unlawful entry into the dwelling or place of business and the occupant has certain reasonable beliefs concerning the other person; providing that an occupant of a dwelling or place of business using physical force, including deadly physical force, in accordance with this Act shall be immune from criminal prosecution and civil liability for the use of the force; 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 2008 Supplement)

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

House Bill 986 – Harford County Delegation

AN ACT concerning

Labor and Employment – Payment of Wages – Direct Deposit of Wages

FOR the purpose of authorizing an employer to pay a wage to an employee by direct deposit of the wage under certain circumstances; and generally relating to the payment of wages.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–502
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 987 – Delegate Riley

AN ACT concerning

Harford County Board of Education – Student Member – Voting Rights

FOR the purpose of providing that the student member of the Harford County Board of Education has certain rights and privileges; prohibiting the student member from voting on certain matters; and generally relating to the Harford County Board of Education and student member voting rights.

BY adding to
Article – Education
Section 3–112.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 988 – Delegates Shank, Beitzel, Conway, Eckardt, Elmore, Haddaway, Kelly, Myers, Serafini, Shewell, Smigiel, and Walkup

AN ACT concerning

Correctional Services – Strip Searches of Employees – Reporting Requirement

FOR the purpose of requiring the Secretary of Public Safety and Correctional Services to report to the Attorney General on certain information regarding strip searches of employees of the Department of Public Safety and Correctional Services within a certain time period of conducting each strip search; requiring the Secretary to report to the Legislative Policy Committee, the Senate Budget and Taxation Committee, and the House Appropriations Committee on or before a certain date each year on certain information regarding strip searches of employees of the Department; defining a certain term; and generally relating to reporting requirement regarding strip searches of employees of the Department of Public Safety and Correctional Services.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 1–101(o)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Correctional Services
Section 2–119
Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

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

House Bill 989 – Delegates Conaway, Kelly, and Rosenberg

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 or 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 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 990 – Delegates Conaway, Anderson, and Carr

AN ACT concerning

Criminal Law – Carjacking – Electric Personal Assistive Mobility Devices, Mopeds, and Motor Scooters

FOR the purpose of adding electric personal assistive mobility devices, mopeds, and motor scooters to the prohibition against carjacking; defining certain terms; and generally relating to carjacking and electric personal assistive mobility devices, mopeds, and motor scooters.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–405
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 991 – Delegate Conaway

AN ACT concerning

Automobile Insurance – Use of Territory in Rate Making – Limitation

FOR the purpose of limiting the number of territories an insurer may use in establishing automobile insurance rates under provisions of law governing prior approval rate making and competitive rating; requiring the Maryland Insurance Commissioner to adopt certain regulations; and generally relating to rate making for automobile insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–216 and 11–319
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 992 – Delegates McIntosh, Beidle, Bobo, Cane, Carr, V. Clagett, Dumais, Frush, Glenn, Guzzone, Haynes, Healey, Hecht, Holmes, Hucker, Ivey, Lafferty, Love, Montgomery, Niemann, Robinson, Stein, and Waldstreicher

AN ACT concerning

Driver Relief Act of 2009

FOR the purpose of requiring certain plans and programs to provide for air quality improvement by attaining a certain performance objective of reducing statewide vehicle miles traveled (VMT) per capita; requiring a certain schedule for reducing VMT; providing for the review of certain projects for certain purposes; authorizing the Department of the Environment to adopt certain regulations; and generally relating to air quality and transportation planning.

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–303.2
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 993 – Delegates Shank, Kramer, Myers, and Serafini

AN ACT concerning

Homestead Property Tax Credit for Living Units in Continuing Care Retirement Communities

FOR the purpose of making certain living units at continuing care facilities eligible for a certain property tax credit under certain circumstances; providing for the application of this Act; and generally relating to the application of a certain property tax credit to certain living units in certain continuing care retirement communities.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–401(d), (g), and (m)
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 7–206(a) and 9–105(b), (e), (f), and (g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(a) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 994 – Delegates Walkup, Haddaway, Manno, Shewell, and Sossi

AN ACT concerning

Sales and Use Tax – Exemption – Library Book Sales by Nonprofit Organizations

FOR the purpose of providing an exemption under the sales and use tax for certain sales by certain nonprofit organizations authorized to perform certain services for certain libraries; and generally relating to an exemption under the sales and use tax for certain sales by certain nonprofit organizations authorized to perform certain services for certain libraries.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(b)

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 995 – Delegates Conaway, Dwyer, and Rosenberg

AN ACT concerning

Criminal Law – Distribution of Tobacco Product or Paraphernalia to Minor – Penalties

FOR the purpose of increasing the penalties for certain violations relating to the distribution of a tobacco product or of tobacco paraphernalia to a minor; and generally relating to the distribution of tobacco products or paraphernalia to a minor.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–107
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 996 – Delegates Conaway and Boteler

AN ACT concerning

Real Property – Foreclosures – Notice to Residential Tenants

FOR the purpose of requiring a certain notice of intent to foreclose to be sent to certain individuals; requiring the notice to be sent to the address of the residential property; requiring the notice to be addressed to "Resident"; and generally relating to foreclosure of residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105.1(b)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 997 – Delegate Conaway

AN ACT concerning

Consumer Protection – Sales of Consumer Goods Conditioned on Free Trials of Consumer Goods or Consumer Services – Prohibited

FOR the purpose of prohibiting a person from requiring a consumer, as a condition to purchasing consumer goods, to accept consumer services or additional consumer goods for a trial period; 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 certain enforcement and penalty provisions; defining certain terms; and generally relating to the sale of consumer goods.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 998 – Delegates Niemann, Lafferty, Gilchrist, Benson, Carr, V. Clagett, Glenn, Gutierrez, Healey, Hecht, Hucker, Manno, Montgomery, Rosenberg, and Stukes

AN ACT concerning

Housing – Maryland Building Performance Standards – Minimum Features for Accessibility

FOR the purpose of requiring the Department of Housing and Community Development to include in the Maryland Building Performance Standards certain minimum features for accessibility applicable to certain new single–family residential real property; clarifying the authority of a local jurisdiction to adopt local amendments to the Standards; requiring a local jurisdiction to adopt a certain procedure for a permit applicant to obtain a waiver from certain minimum features for accessibility under certain circumstances; requiring a local jurisdiction to submit to the Department a copy of a certain local waiver procedure within a certain time; requiring the Department to include in a certain database certain local waiver procedures; requiring the Department to report to the General Assembly on or before certain dates; requiring the Department to request a certain statement from a certain institute on or before a certain date; making certain provisions of this

Act subject to a certain contingency; and generally relating to minimum features for accessibility in housing.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–503, 12–504, 12–505, and 12–506
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 12–503.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 999 – Delegates Conaway, Anderson, Boteler, and Kelly

AN ACT concerning

Criminal Law – Self–Defense – Immunity for Use of Physical Force in Defense of Dwelling

FOR the purpose of establishing that an occupant of a dwelling is justified in using any degree of physical force, including deadly physical force, against another person when that other person has made an unlawful entry into the dwelling, and when the occupant has a reasonable belief that the other person has committed a crime in the dwelling in addition to the unlawful entry, or is committing or intends to commit a crime against a person or property in addition to the unlawful entry, and when the occupant reasonably believes that the other person might use physical force, no matter how slight, against an occupant; providing that an occupant of a dwelling using physical force, including deadly physical force, in accordance with the provisions this Act shall be immune from criminal prosecution and civil liability for the use of force; 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 2008 Supplement)

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

House Bill 1000 – Delegates Conaway, Carter, Dumais, Frank, Levi, McComas, Ramirez, and Simmons

AN ACT concerning

Marriage Ceremonies – Performance by Tax Court Judges

FOR the purpose of authorizing a judge of the United States Tax Court to perform a marriage ceremony in this State; altering a certain definition; and generally relating to marriage ceremonies.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–406(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1001 – Delegates Frick, Ali, Barkley, Bromwell, Carr, DeBoy, Elliott, Elmore, Glenn, Gutierrez, Guzzone, Haynes, Hecht, Howard, Hucker, Manno, Mizeur, Reznik, and Robinson

AN ACT concerning

Department of Health and Mental Hygiene – Maryland Medical Assistance Program – Reporting by Financial Institutions on Enrolled Employees

FOR the purpose of requiring certain financial institutions in the State to report to the Department of Health and Mental Hygiene on or before a certain date each year on the number of employees employed by the employer in the State and the number of employees enrolled in the Maryland Medical Assistance Program; requiring the Department to make a certain annual report to the General Assembly on or before a certain date; requiring the Department to make certain information available to the public; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the disclosure of information on employees of certain financial institutions who are enrolled in the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–146
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1002 – Delegates Conaway, Anderson, and Boteler

EMERGENCY BILL

AN ACT concerning

Public Service Companies – Gas and Electric Service – Alternative Payment Agreements

FOR the purpose of requiring the Public Service Commission to adopt regulations by a certain date to limit the authority of a public service company to terminate gas or electric service to a residential customer in arrears under certain circumstances; requiring certain regulations to require a public service company to offer customers the option of entering into a certain alternative payment agreement, and prohibit the public service company from terminating service to the customer or filing a negative credit report on the customer under certain circumstances; requiring a certain offer to be in writing and contain certain information under certain circumstances; requiring the rate and schedule of repayment in a certain agreement to be designed to address certain criteria; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the termination of gas and electric service by a public service company to residential customers.

BY adding to
Article – Public Utility Companies
Section 7–307.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1003 – Delegate Conaway

AN ACT concerning

State Employees – Separation from Service by Governor – Repeal of Authority

FOR the purpose of repealing certain provisions of law under which a nontemporary employee in the State Personnel Management System is separated from service when the appropriation in the State budget for the position is omitted by the Governor as evidenced in certain supporting documentation, or reduced by the

Governor in accordance with certain provisions of law and as evidenced in certain supporting documentation; and generally relating to the separation of employees from State service.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 11–301
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 11–302
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1004 – Delegates Conaway and Rosenberg

AN ACT concerning

Transportation – Parking Facilities – Towing Prohibited Unless Parking Payment Options Available

FOR the purpose of prohibiting the owner or other person in charge of a parking facility from using towing to enforce certain parking restrictions unless the facility allows customers the option to pay for parking using currency or credit, debit, or other charge cards; defining a term; providing for the application of this Act; and generally relating to a prohibition on towing at a parking facility.

BY adding to
Article – Transportation
Section 26–307
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1005 – Delegate Miller

AN ACT concerning

Workers' Compensation – Temporary Total Disability Benefits – Credit

FOR the purpose of providing a credit for an employer or insurer for certain payments to a covered employee for temporary total disability benefits under certain

circumstances and during a certain period; providing for the application of this Act; and generally relating to payment of temporary total benefits.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–618
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–621
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1006 – Delegates V. Clagett, Anderson, Beidle, Bobo, Cane, Cardin, Carr, Doory, Glenn, Healey, Holmes, Hucker, Lafferty, Manno, Niemann, Rosenberg, Stein, and Weir

AN ACT concerning

Real Property – Community Land Trusts

FOR the purpose of exempting a certain lease of residential real property from the statutory right to redeem a lease, including a ground lease, by a tenant if a certain community land trust is the lessor and the lease grants the lessor certain preemptive rights to purchase the lessee's interest or the lease contains certain restrictions on the transfer of the property; exempting a certain lease of residential real property from the statutory right to convert an irredeemable ground rent if a community land trust is the lessor and the lease contains certain conditions; exempting a certain lease of residential real property from a prohibition on creating a reversionary interest in the property under a ground lease under certain conditions if a community land trust is the lessor and the lease contains certain conditions; establishing that a certain ground lease or ground sublease of which a community land trust is the lessor may not be considered a lease or sublease subject to the payment of a periodic ground rent; establishing that in a certain lease or sublease of which a community land trust is the lessor a certain provision relating to the payment of a periodic ground rent is unenforceable; providing that the inclusion of such a provision in the lease or sublease does not affect the validity of other provisions; establishing that a certain right of indemnification in a certain lease may not be considered to be a provision that subjects the property to the payment of a periodic ground rent; providing that such an indemnification clause is fully enforceable under applicable law; providing that the right to file a lien for the nonpayment of a ground rent applies to the right to file a lien for the nonpayment of a ground

lease holder indemnity; providing for the payment to the ground rent holder of the proceeds if the subject property of the community land trust is sold at a foreclosure sale; exempting a lease of residential real property from the requirements of a certain registry of ground leases if a community land trust is the lessor and the lease contains certain conditions; altering certain definitions; defining certain terms; making technical changes; and generally relating to community land trusts.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–110(a), (b), (c), (d), (e), and (f)(1) and (4), 8–110.1(a) and (b), 8–111.2, 8–402.3(a), (n), and (o), 8–701, and 8–702(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–402.3(b) and (c) and 8–702(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 8–111.3
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1007 – Delegate Conaway

AN ACT concerning

Juvenile Law – Custodial Interrogation of Minor on School Premises – Recording Restrictions

FOR the purpose of prohibiting a police officer or school official from making an electronic recording of a custodial interrogation of a minor on school premises without the consent of a parent or guardian of the minor; providing that a statement made by a minor during a custodial interrogation recorded in violation of this Act shall be presumed involuntary and is inadmissible as evidence against the minor in any criminal or juvenile proceeding; defining certain terms; providing for the application of this Act; and generally relating to custodial interrogations of minors.

BY adding to
Article – Criminal Procedure

Section 2–501 and 2–502 to be under the new subtitle "Subtitle 5. Custodial Interrogation of a Minor on School Premises"
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1008 – Delegates Conaway and Anderson

AN ACT concerning

Education – Baltimore City – Public and Private Schools – Criminal Law and Criminal Procedure Courses

FOR the purpose of requiring the Baltimore City Board of School Commissioners of the Baltimore City Public School System and each nonpublic noncollegiate educational institution located in Baltimore City to develop for its students a certain mandatory course regarding criminal law and criminal procedure to be implemented at a certain time; defining a certain term; and generally relating to the development and implementation of a course in criminal law and criminal procedure in Baltimore City.

BY repealing and reenacting, without amendments,
Article – Education
Section 2–206(a) and 4–301(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 4–320
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1009 – Delegate Conaway

AN ACT concerning

State Government – State Walking Stick of Statesmen and Gentlemen – The Shillelagh

FOR the purpose of designating the shillelagh as the State walking stick of statesmen and gentlemen.

BY adding to

Article – State Government
Section 13–322
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1010 – Delegate Conaway

AN ACT concerning

Real Estate Appraisers – Mandatory Minimum Penalties – Record Keeping and Contingent Fee Violations

FOR the purpose of establishing certain mandatory minimum penalties for violations of certain record keeping requirements for real estate appraisers; establishing certain mandatory minimum penalties for violations of certain prohibitions on accepting certain fees by real estate appraisers; and generally relating to penalties for violations by real estate appraisers.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 16–401 and 16–402(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–706
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1011 – Delegates Shank, Frank, and Sossi

AN ACT concerning

Transparency in Lawsuits Protection Act

FOR the purpose of requiring certain legislation creating a private right of action to contain express language providing for the right; prohibiting certain courts from implying a private right of action in the absence of express statutory language; declaring the purpose of this Act; providing for the application of this Act; and generally relating to private rights of action.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–1201 through 5–1203 to be under the new subtitle "Subtitle 12. Transparency in Lawsuits Protection Act"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1012 – Delegates Conaway and Anderson

AN ACT concerning

Juvenile Law – Custodial Interrogation of a Minor – Recording Restrictions

FOR the purpose of prohibiting a police officer from making an electronic recording of a custodial interrogation of a minor without the consent of a parent or guardian of the minor; providing that a statement made by a minor during a custodial interrogation recorded in violation of this Act shall be presumed involuntary and is inadmissible as evidence against the minor in any criminal or juvenile proceeding; providing for the application of this Act; and generally relating to custodial interrogation of a minor.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–401
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–405
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1013 – Delegates Conaway and Rosenberg

AN ACT concerning

Baltimore City – Rifles and Shotguns – Possession by a Minor Prohibited

FOR the purpose of prohibiting a minor from possessing a rifle or shotgun in Baltimore City; providing certain exceptions to the provisions of this Act; and generally relating to possession of a rifle or shotgun by a minor in Baltimore City.

BY adding to
Article – Public Safety
Section 5–206
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1014 – Delegates Shank, Dwyer, Eckardt, Frank, George, Haddaway, Kelly, Krebs, McComas, McConkey, Myers, Norman, O'Donnell, Schuh, Serafini, Smigiel, Sossi, Stocksdale, and Stull

AN ACT concerning

Justice's Law

FOR the purpose of increasing the maximum penalty for first degree child abuse resulting in death of the victim; increasing the maximum penalty for a subsequent conviction of child abuse resulting in death of the victim; and generally relating to child abuse.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–601
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1015 – Delegates Jennings, Boteler, Dwyer, Ivey, Kipke, and Shank

AN ACT concerning

Health General – Milk Products – Direct–to–Consumer Sale of Raw Milk

FOR the purpose of excluding certain sales of raw milk from certain State regulation of milk products; creating an exception to the prohibition against the sale of raw milk; authorizing the sale of raw milk directly to the consumer in accordance with certain requirements; restricting the authorization to sell raw milk directly to the consumer to certain persons; requiring a milk producer that sells raw milk directly to the consumer to register with the Department of Health and Mental Hygiene and the Department of Agriculture; prohibiting the sale of raw milk unless a certain contract is executed; requiring certain disclosures in the contract; prohibiting certain sales of raw milk unless certain labeling requirements are satisfied; prohibiting the sale of abnormal raw milk; requiring certain testing of certain animals; prohibiting certain animals from being a part

of a herd under certain circumstances; requiring certain raw milk samples to be taken; requiring certain testing of raw milk samples; requiring the results of the raw milk sample testing to be reported to certain departments; prohibiting the sale of raw milk when certain tests exceed certain levels; requiring the Department of Health and Mental Hygiene to adopt certain regulations for raw milk sample testing; requiring a certain milk producer to record certain testing information; requiring a raw milk producer to milk certain animals last or with separate equipment; requiring a raw milk producer to discard certain raw milk; establishing certain sanitary requirements for raw milk production; requiring a raw milk producer to keep a dairy farm and its immediate surroundings in a clean and sanitary condition; requiring milking to be done in a certain environment; requiring the brushing of animals to occur before milking; prohibiting wet–hand milking; requiring certain individuals to wear certain clothes while milking animals; requiring a certain individual's hands to be washed at certain times during the milking process; prohibiting certain individuals from participating in certain raw milk production tasks; requiring certain equipment to be cleaned and sanitized; requiring raw milk to be stored in a certain manner; requiring raw milk to be stored at certain temperatures; requiring raw milk to be bottled on the farm where the raw milk is produced; requiring the raw milk producer to keep certain records for a certain period of time; defining certain terms; and generally relating to direct–to–consumer sales of raw milk.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–403 and 21–434
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 21–501 through 21–516 to be under the new subtitle "Subtitle 5. Direct–to–Consumer Sale of Raw Milk"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1016 – Delegates Jennings, Bartlett, Boteler, Dwyer, Frank, Impallaria, McConkey, McDonough, Smigiel, and Stifler

AN ACT concerning

Sales and Use Tax – Rate

FOR the purpose of 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 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; and generally relating to altering the rate of the sales and use tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–105(b), 11–104(a) and (b), and 11–301
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1017 – Harford County Delegation

AN ACT concerning

Harford County – Property Tax Exemption – Continuing Care Facility for Aged

FOR the purpose of exempting certain property owned by certain continuing care facilities for the aged in Harford County from the payment of county or municipal corporation property tax; providing for the application of this Act; and generally relating to property tax exemptions for certain property owned by certain continuing care facilities located in Harford County.

BY adding to
Article – Tax – Property
Section 7–206.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1018 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – License Expiration

PG 308–09

FOR the purpose of establishing that in Prince George's County an alcoholic beverages license expires on a certain date after the licensee has closed the business or ceased active alcoholic beverages business operations; providing for exceptions

to certain expiration provisions; specifying certain conditions under which a written request for a license extension due to undue hardship may be filed with the Board of License Commissioners; authorizing the Board under certain circumstances to grant an extension not exceeding a certain period; specifying that the total period for which a license may be considered unexpired may not exceed a certain number of days; specifying events marking the beginning and suspending of the total period for unexpired licenses; defining a certain term; and generally relating to alcoholic beverages licenses in Prince George's County.

BY adding to
Article 2B – Alcoholic Beverages
Section 10–504(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1019 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Salaries of Inspectors

PG 307–09

FOR the purpose of providing that alcoholic beverages inspectors of the Board of License Commissioners of Prince George's County shall receive a certain annual salary; making certain technical changes; and generally relating to alcoholic beverages inspectors in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–109(r)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(r)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1020 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Vehicle Laws – Speed Monitoring Systems

PG 309–09

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Prince George's County; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Prince George's County; requiring certain local police departments in Prince George's County to mail citations to the owners of vehicles that are recorded by speed monitoring systems in the county in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Prince George's County Office of Finance or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Prince George's County Office of Finance and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contracts may not be impaired by this Act; requiring the Prince George's County Council to report to the General Assembly on or before a certain date; and generally relating to imposition of liability, in Prince George's County, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1021 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – 1–Day Beer, Wine and Liquor License

PG 312–09

FOR the purpose of establishing a special 1–day Class C beer, wine and liquor license in Prince George's County; specifying that the special license may be issued to a nonprofit organization that has its principal place of business in a certain legislative district; specifying that the holder of the special license may sell beer, wine, or liquor for consumption on or off the premises; setting a certain license fee; restricting the number of days that a special license may be issued; specifying that a special license be signed by a certain officer of the nonprofit organization; specifying that the holder of a special license may purchase beer, wine, or liquor only from a certain person; specifying that beer, wine, or liquor may be donated by a certain person; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Prince George's County.

BY adding to
Article 2B – Alcoholic Beverages
Section 7–101(w)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1022 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class A/Class 4 Light Wine Licenses

PG 305–09

FOR the purpose of authorizing a Class A light wine license to be issued in Prince George's County; exempting a winery that applies for a certain license from certain quotas; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1023 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Vehicle Laws – Speed Monitoring Systems

PG 313–09

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Prince George's County; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Prince George's County; requiring certain local police departments in Prince George's County to mail citations to the owners of vehicles that are recorded by speed monitoring systems in the county in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Prince George's County Office of Finance or a municipal corporation in Prince George's County or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Prince George's County Office of Finance, municipal corporations in Prince George's County, and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contracts may not be impaired by this Act; requiring the Prince George's County Council to report to the General Assembly on or before a certain date; and generally relating to imposition of liability, in Prince George's County, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1024 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class A Light Wine Licenses

PG 311–09

FOR the purpose of authorizing a Class A light wine license to be issued in Prince George's County; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 4–201(c)(1) and (d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1025 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Revocation of Class C Licenses for After Hours Sales

PG 321–09

FOR the purpose of requiring the Prince George's County Board of License Commissioners to revoke the license of a holder of a certain license as a result of a conviction for unlawfully making sales after hours under certain conditions; providing for the construction and application of this Act; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 10–401(g)(1) and (2)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 10–401(g)(8)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1026 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages License Application – Resident Stock Ownership Requirement

PG 317–09

FOR the purpose of altering, in Prince George's County, a certain percentage of ownership of total issued capital stock of a corporation, close corporation, or unincorporated association or percentage of interest in a limited liability company that a resident of the county shall own in order to apply for an alcoholic beverages license; repealing an obsolete provision; and generally relating to an alcoholic beverages license in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1027 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Extinguishment of Licenses

PG 323–09

FOR the purpose of requiring the Prince George's County Board of License Commissioners to declare an alcoholic beverages license to be extinguished under certain circumstances; specifying that an extinguished license may not be replaced by the Board and that an extinguished license counts as one in a certain list of licenses; providing an exception to a certain licensing restriction; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(a) and 9–217(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages

Section 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9–217(b–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1028 – Delegate Conaway

AN ACT concerning

Motor Vehicles – Mandatory Seat Belt Use – Warning for Improper Use

FOR the purpose of providing that a person who attempts to use a seat belt as required by certain provisions of law but who fails to use the seat belt in accordance with certain design specifications is not in violation of certain mandatory seat belt laws; prohibiting the issuance of a citation and requiring the issuance of a certain warning under certain circumstances to a person for the failure to use a seat belt properly; and generally relating to mandatory seat belt use.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.3
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1029 – Delegate Conaway

AN ACT concerning

Motor Vehicle Administration – New Felony Summary – Public Notice

FOR the purpose of requiring the Motor Vehicle Administration annually to publish a summary of the criminal laws of the State that have been changed from a misdemeanor to a felony within the prior year and mail, using the address of the person on record with the Administration, a copy of the summary, without charge, to each holder of a driver's license or identification card issued by the Administration; and generally relating to the Motor Vehicle Administration.

BY adding to
Article – Transportation
Section 12–115.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1030 – Delegates Shank, Frank, Kelly, Kramer, Myers, Sossi, and Valderrama

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
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1031 – Delegate Conaway

AN ACT concerning

Baltimore City Board of School Commissioners – System of Public School Buses Required

FOR the purpose of requiring the Baltimore City Board of School Commissioners to establish or contract for a system of public school buses to provide transportation for certain students in Baltimore City; prohibiting the Board from providing or contracting for student transportation services in conjunction with mass transit service provided to the general public in Baltimore City;

authorizing the Board to use a certain transportation grant only for certain purposes; and generally relating to transportation services provided to certain students by the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–205
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1032 – Delegate Conaway

AN ACT concerning

Education – Public and Private Schools – Criminal Law and Criminal Procedure Courses

FOR the purpose of requiring each county board of education and each nonpublic noncollegiate educational institution to develop for its students a certain mandatory course regarding criminal law and criminal procedure to be implemented at a certain time; requiring the State Board of Education to provide certain guidance and assistance; defining a certain term; and generally relating to the development and implementation of a course in criminal law and criminal procedure.

BY repealing and reenacting, without amendments,
Article – Education
Section 2–206(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 2–208
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1033 – Delegate Conaway

AN ACT concerning

Consumer Protection – Limit on Quantity of Consumer Goods Purchased – Notice

FOR the purpose of requiring a merchant that has a policy limiting the quantity of consumer goods a consumer may purchase at one time to post a conspicuous notice describing the policy at the entrance to the merchant's establishment; providing for a certain exception; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining a certain term; and generally relating to notices regarding limits on the quantity of consumer goods that may be purchased.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1034 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice of Option to Redeem Ground Rent

FOR the purpose of requiring certain contracts for sale of real property subject to a redeemable ground rent to include notice of the option of redeeming the ground rent for a certain sum; and generally relating to contracts for sale of real property.

BY adding to
Article – Real Property
Section 14–117(m)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1035 – Delegates Schuler, Bromwell, Cardin, DeBoy, Impallaria, Lafferty, Malone, Minnick, Olszewski, Stein, and Weir

AN ACT concerning

Public Safety – Fire Fighters' Bill of Rights

FOR the purpose of establishing a bill of rights for certain fire fighters under investigation and subjected to interrogation that could lead to certain punitive

action; providing for the application of this Act; defining certain terms; and generally relating to a bill of rights for fire fighters.

BY adding to
Article – Public Safety
Section 7–501 through 7–504 to be under the new subtitle "Subtitle 5. Fire Fighters' Bill of Rights"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1036 – Delegate Miller

AN ACT concerning

Workers' Compensation – Temporary Total Disability – Incarcerated Employees

FOR the purpose of providing that an employer or insurer is not liable for certain temporary total disability payments to a covered employee while the employee is incarcerated; providing for a certain exception; providing for the application of this Act; and generally relating to workers' compensation benefits for covered employees who are incarcerated.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–221, 9–607, and 9–618
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 9–618.1
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–621
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1037 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licenses – Successor Corporations

PG 301–09

FOR the purpose of specifying that in Prince George's County, if a certain number of corporations with interests in certain alcoholic beverages licenses undergo a merger, consolidation, or share exchange that results in a single successor corporation, the total number of licenses that the successor corporation may hold is the greater of certain alternatives; specifying that an indirect interest in a license is evidenced by certain relationships; exempting this Act from a restriction on the number of licenses that may be issued to a person; and generally relating to alcoholic beverages licenses in Prince George's County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–217(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1038 – Delegates Robinson, Anderson, Branch, Burns, Carter, Glenn, Gutierrez, Harrison, Haynes, Hecht, Howard, Jones, Kirk, Krysiak, Lee, McIntosh, Montgomery, Nathan–Pulliam, Oaks, Proctor, Stukes, Tarrant, and V. Turner

AN ACT concerning

Public Safety – New Construction – Carbon Monoxide Alarms and Radon Detectors

FOR the purpose of requiring the installation of carbon monoxide alarms and radon detectors in certain dwellings that are to be constructed on or after a certain date; establishing certain minimum technical standards for the radon detectors; requiring the radon detectors to be installed and maintained in accordance with certain standards; prohibiting a person from rendering a radon detector inoperable with a certain exception; clarifying that this Act does not prevent a county or municipal corporation from enacting more stringent laws relating to

radon detectors; defining certain terms; and generally relating to carbon monoxide and radon detectors installed in new construction.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–1104
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 12–1201 through 12–1206 to be under the new subtitle "Subtitle 12. Radon Detectors"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1039 – Delegate Davis

AN ACT concerning

Secondhand Precious Metal Object Dealers and Pawnbrokers – Electronic Reporting

FOR the purpose of requiring certain secondhand precious metal object dealers and pawnbrokers to submit certain records to certain law enforcement units in a certain manner and at a certain time; exempting certain antique dealers from the reporting requirement; providing for the construction of this Act; providing for a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the records of secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–304
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1040 – Delegates McConkey, Barnes, Beitzel, G. Clagett, Dwyer, Eckardt, Frank, Hecht, Kelly, McComas, Serafini, Shank, Smigiel, Stocksdale, and Stull

AN ACT concerning

Property Tax Assessment Appeal Boards

FOR the purpose of expanding the membership of the property tax assessment appeal board for a county or Baltimore City under certain circumstances; requiring the property tax assessment appeal boards to hear and determine an appeal within a certain time limit under certain circumstances; and generally relating to property tax assessment appeals.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 3–103 and 14–510
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1041 – Delegates Ramirez, Niemann, Barnes, Kramer, and Simmons

AN ACT concerning

Alcoholic Beverages – Public Consumption and Open Containers – Penalties

FOR the purpose of altering the penalties for violating certain prohibitions against the public consumption of alcoholic beverages or the public possession of an open container of alcoholic beverages to include the possibility of certain terms of incarceration; making certain stylistic changes; and generally relating to penalties for alcoholic beverages violations.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 19–202, 19–203, and 19–301(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 19–204 and 19–302
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1042 – Delegates Ivey, Anderson, Barnes, Benson, Carr, Dumais, Lee, Montgomery, Ramirez, Valderrama, and Vaughn

AN ACT concerning

Public Safety – Possession of Ammunition for Firearms – Penalties

FOR the purpose of prohibiting a person from possessing ammunition for a firearm if the person previously was convicted of certain crimes; providing penalties for a violation of this Act; and generally relating to the possession of ammunition for firearms.

BY adding to
Article – Criminal Law
Section 4–109
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–622(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1043 – Delegates Carter, Anderson, Braveboy, Hucker, McDonough, Nathan–Pulliam, Oaks, and V. Turner

AN ACT concerning

Department of Health and Mental Hygiene – State Facilities – Closure

FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene, notwithstanding any other provision of law, from closing a certain facility; prohibiting a certain State facility under the direction of the Mental Hygiene Administration from being closed; and generally relating to the closure of certain facilities owned or operated by the Department of Health and Mental Hygiene.

BY adding to
Article – Health – General
Section 2–104(p) and 10–406(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–406(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1044 – Delegates Carter, Anderson, Carr, Conaway, Hammen, Hucker, Levi, McDonough, Oaks, Robinson, Smigiel, Stukes, Tarrant, and F. Turner

AN ACT concerning

Walter P. Carter Center – Employees, Services, and Naming

FOR the purpose of requiring the Department of Health and Mental Hygiene to ensure that certain State employment is offered to employees of the Walter P. Carter Center if the Department closes a certain unit; requiring the Department to ensure that certain community–based services are offered under certain circumstances; requiring the University of Maryland, Baltimore to perform certain duties if the Walter P. Carter Center is transferred to the University of Maryland, Baltimore; and generally relating to the Walter P. Carter Center.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 10–406(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 10–406(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1045 – Cecil County Delegation

AN ACT concerning

Cecil County – Regulation of Domestic Animals

FOR the purpose of altering the number of persons required to make a sworn complaint in the District Court alleging that a domestic animal disturbs the peace and quiet of any neighborhood in an inhabited area of Cecil County in order for a summons to be issued to the owner or keeper of the animal; altering a certain penalty; making stylistic changes; and generally relating to the regulation of domestic animals in Cecil County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–504(l)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1046 – Delegate Schuh

AN ACT concerning

State Retirement and Pension System – Local Employer Contributions – Educators and Educational Staff

FOR the purpose of providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; defining certain terms; and generally relating to the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–309.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1047 – Delegate Weldon

AN ACT concerning

Family Law – Child Support Enforcement – Multiple Driver's License Suspension Notices

FOR the purpose of requiring the Child Support Enforcement Administration to notify immediately a child support obligor and the Motor Vehicle Administration if the child support obligor has received a certain number of driver's license suspension notices within a certain period of time and the obligor is a certain number of days out of compliance with a certain child support order; requiring the Motor Vehicle Administration to suspend the license or privilege to drive of the obligor under certain circumstances; authorizing the Motor Vehicle Administration to issue a work–restricted license or privilege to drive under certain circumstances; providing for the effective term of a work–restricted license or privilege to drive issued under this Act; making certain conforming changes; defining a certain term; providing for a delayed effective date; and generally relating to child support enforcement and driver's license suspension.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–119
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–203
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1048 – Delegates Frick, Barkley, Braveboy, Bronrott, Feldman, Hecht, Kirk, Krysiak, Lee, Manno, Mathias, McDonough, Miller, Mizeur, Ross, Stifler, and Taylor

AN ACT concerning

Commercial Law – Consumer Contracts – Prohibited Provisions

FOR the purpose of prohibiting a person from including certain provisions in certain consumer contracts; prohibiting a consumer contract from waiving certain rights or protections; providing that a provision included in a consumer contract in violation of this Act is void and unenforceable; 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 certain enforcement and penalty provisions; defining certain terms; and generally relating to consumer contracts.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1049 – Prince George's County Delegation

AN ACT concerning

Prince George's County – 47th Alcoholic Beverages District – Class A (Off–Sale) Licensees – Minimum Container Size for Chilled Beer

PG 303–09

FOR the purpose of prohibiting a holder of a Class A beer license, beer and light wine license, or beer, wine and liquor license from selling chilled beer in an individual container under a certain size in the 47th alcoholic beverages district in Prince George's County; and generally relating to the sale of chilled beer by a holder of a Class A license in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–101(r), 5–101(r), and 6–101(r)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–217(l)(1)(viii) and 10–401(a)(1) and (2)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1050 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Bottles of Beer or Wine – Hours of Sale

PG 319–09

FOR the purpose of prohibiting in Prince George's County the holders of certain alcoholic beverages licenses from selling for consumption off the premises bottles of beer or wine of a certain size after certain times; and generally relating to alcoholic beverages in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–301(a)(1), 11–301(b)(3), 11–302(a)(1), 11–302(b)(5), and 11–303(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 11–301(a)(4) and 11–302(a)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 11–301(a)(4) and 11–302(a)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 11–301(b)(1) and 11–302(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1051 – Delegate Griffith

AN ACT concerning

Employees' Pension System – Service Retirement Allowance – Creditable Service

FOR the purpose of providing that certain individuals who were employed by the City of Annapolis as contractual employees for a certain period of time may receive a certain amount of creditable service in the Employees' Pension System; providing for the termination of this Act; and generally relating to service credit in the Employees' Pension System for contractual employees.

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

House Bill 1052 – Delegates Conaway and Kelly

AN ACT concerning

Public Safety – DNA Sample Collection on Arrest – Undocumented Aliens

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest and determined to be an undocumented alien; requiring a DNA sample to be collected at the facility where a certain arrest is processed; providing that a certain DNA record may be expunged under certain circumstances; altering a certain definition; 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 the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501 and 2–504
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 2–511
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)
(As enacted by Chapter 337 of the Acts of the General Assembly of 2008)

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

House Bill 1053 – Delegates McIntosh, Barkley, Bobo, Cane, V. Clagett, Dumais, Frush, Haynes, Healey, Howard, Hucker, Ivey, Kaiser, Lafferty, Lee, McHale, Morhaim, Niemann, Olszewski, Riley, Robinson, and Waldstreicher

AN ACT concerning

Community Environmental Protection Act of 2009

FOR the purpose of providing certain persons and associations standing in certain claims under certain circumstances; providing judicial review of certain final

administrative decisions under certain circumstances; providing certain persons standing to participate in certain administrative appeal proceedings under certain circumstances; authorizing certain persons to bring certain civil actions under certain circumstances; authorizing a court to award certain costs under certain circumstances; authorizing a court to grant certain relief under certain circumstances; authorizing a court to impose certain civil penalties under certain circumstances; authorizing certain persons to intervene in certain proceedings under certain circumstances; establishing that this Act supersedes certain laws, ordinances, regulations, and judicial interpretations to the extent of certain inconsistencies; defining certain terms; making the provisions of this Act severable; declaring the intent of the General Assembly; and generally relating to enforcing laws related to the environment and natural resources.

BY adding to
Article – Environment
Section 1–901 through 1–908 to be under the new subtitle "Subtitle 9. Community Environmental Protection Act"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Natural Resources
Section 8–1815.2
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1054 – Delegate Niemann

AN ACT concerning

Environment – Permitting Process – Environmental Justice Review

FOR the purpose of providing that certain provisions of this Act do not apply to local governments seeking a certain permit; requiring a local government seeking a certain permit for a certain purpose to provide certain notice and hold a certain hearing, and to consider certain environmental justice issues; requiring the Department of the Environment, in consultation with the Commission on Environmental Justice and Sustainable Communities and the Department of Planning, to develop certain criteria and maps on or before a certain date; prohibiting the Department of the Environment from issuing or renewing certain permits until a permit applicant conducts an Environmental Justice Review except under certain circumstances; requiring the Department of the Environment to make certain determinations; requiring a permit applicant to submit certain information to the Department of the Environment under certain circumstances; establishing penalties for certain violations; repealing a

certain term; altering a certain reporting requirement; defining certain terms; and generally relating to environmental justice in the State.

BY renumbering
Article – Environment
Section 1–701
to be Section 1–706
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 1–701 through 1–705
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–706
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1055 – Delegates Barnes, McIntosh, Mizeur, Kaiser, Ali, Anderson, Barkley, Barve, Bobo, Bronrott, Carr, Carter, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Harrison, Heller, Hixson, Hubbard, Hucker, Ivey, Kirk, Kramer, Krysiak, Lee, Manno, Montgomery, Niemann, Pena–Melnyk, Pendergrass, Ramirez, Reznik, Rice, Rosenberg, Schuler, Stukes, F. Turner, Valderrama, and Waldstreicher

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 2008 Supplement)

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

House Bill 1056 – Delegate Vaughn

AN ACT concerning

Professional Employer Organization Recognition and Registration Act

FOR the purpose of prohibiting a person from engaging in the business of providing certain professional employer services in the State unless the person is registered as a professional employer organization, except under certain circumstances; requiring the Department of Labor, Licensing, and Regulation to maintain a certain list of professional employer organizations and to make the list available to the public on the Internet; providing for the application procedures for registration as a professional employer organization; providing for the expiration of the registration; providing for procedures for the renewal of a registration; allowing a professional employer organization to apply for a limited registration under certain circumstances; providing for the application and renewal procedures for a limited registration as a professional employer organization; authorizing the Secretary to deny registration or a registration certificate to an applicant, reprimand a registrant, suspend or revoke a registration or registration certificate, or impose a civil penalty under certain circumstances; requiring the Secretary to provide an applicant or a registrant notice and an opportunity for a hearing to contest a proposed disciplinary action; providing for certain rights and duties of certain clients in a co–employment relationship with a professional employer organization; providing for certain rights and duties of certain professional employer organizations in a co–employment relationship with a client; requiring a professional employer agreement to contain certain provisions; requiring a professional employer organization to provide a certain notice to certain covered employees; providing for the obligations and liabilities of certain clients subject to a professional employer agreement; providing that certain covered employees are not to be considered employees of a professional employer organization for certain purposes, except under certain circumstances; providing that certain professional employer organizations are not engaged in the sale of insurance or in acting as certain third party administrators; prohibiting a person from acting as, offering to act as, or holding itself out as a professional employer organization in the State unless registered under this Act; prohibiting a person from knowingly making a false representation or false statement in certain applications; prohibiting a person from advertising in a certain manner; establishing certain criminal penalties; authorizing the Secretary to bring a certain civil administrative action against certain persons; providing for the construction of this Act; prohibiting a presently existing obligation or contract right from being impaired by this Act; allowing certain persons a certain period of time after the effective date of this Act to register; making certain provisions

of this Act severable; and generally relating to the regulation of professional employer organizations and professional employer agreements.

BY adding to
Article – Business Regulation
Section 20–101 through 20–404 to be under the new title "Title 20. Professional Employer Organizations"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1057 – Delegates McHale and Hecht

AN ACT concerning

Net Energy Metering – Micro Combined Heat and Power

FOR the purpose of including a customer that uses a certain micro heat and power electric generating facility that meets certain conditions among the list of eligible customer–generators that are eligible for net energy metering; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1058 – Delegates Walkup, Eckardt, Haddaway, and Sossi

AN ACT concerning

Environment – Sewage Sludge Utilization Permits – Local Notice

FOR the purpose of requiring the Department of the Environment to provide notice of a certain application to the legislative body and elected executive of a certain county; requiring the Department to provide notice of a certain application to

the elected executive of a certain municipal corporation; and generally relating to sewage sludge utilization permits.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–234
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1059 – Delegate McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Life Safety System Upgrades at the Baltimore Museum of Industry

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 Trustees 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 Appropriations.

House Bill 1060 – Delegates Hecht, Bobo, Niemann, Robinson, and F. Turner

AN ACT concerning

Residential Solar Energy Act of 2009

FOR the purpose of requiring an electricity supplier, for certain calendar years, to meet a certain renewable energy portfolio standard for solar energy by accumulating a certain percentage of solar renewable energy credits each year from small solar generators under certain circumstances; authorizing the Public Service Commission to waive a certain requirement if a certain electricity supplier is unable to meet the requirement under certain circumstances; requiring the Commission to consider certain factors when determining whether to grant a certain waiver; making a certain stylistic change; defining a certain term; and generally relating to small solar generators and the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,

Article – Public Utility Companies
Section 7–701(a) and 7–703(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–701(l), 7–703(e), and 7–705(e–1)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–701(l) and (m), 7–704(a) through (c), and 7–709(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1061 – Delegates Mizeur, Barkley, Bobo, Bronrott, Carr, Dumais, Glenn, Healey, Hecht, Manno, and Rosenberg

AN ACT concerning

Earned Income Credit Information Act

FOR the purpose of requiring the Comptroller to prepare certain tables relating to eligibility for the State earned income tax credit; requiring the Comptroller to prepare and make available to employers of the State a certain notice; requiring an employer to provide certain notification to an employee who may be eligible for the State earned income tax credit; providing for the application of this Act; and generally relating to employee notification of the State earned income tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–905(a), (b), and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–913
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1062 – Delegates Cardin, Bartlett, Bromwell, Bronrott, Frank, Frick, George, Gilchrist, Howard, Impallaria, Ivey, Olszewski, Rice, Stein, Stukes, Tarrant, F. Turner, and Walker

AN ACT concerning

State Government – Commemorative Day – Health Improvement and Disease Prevention Day

FOR the purpose of requiring the Governor to proclaim annually a certain day of each year as Health Improvement and Disease Prevention Day; requiring the proclamation to urge citizens of the State to address certain health issues; and generally relating to Health Improvement and Disease Prevention Day.

BY adding to
Article – State Government
Section 13–408
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1063 – Delegates Stein, Bronrott, Cardin, Morhaim, Olszewski, and Schuler

AN ACT concerning

Environment – Noise Control Ordinances – Political Subdivisions

FOR the purpose of authorizing a political subdivision that has a certain population to adopt a certain noise control ordinance; requiring a political subdivision that has a certain population to adopt a noise control ordinance that is at least as stringent as certain standards, limits, and rules adopted by the Department of the Environment; requiring a political subdivision that has a certain population to consider compliance with certain standards before acting on certain variance requests or changes in zoning classifications, and prior to the issuance of certain permits or other authorizing documents; and generally relating to noise control ordinances.

BY repealing and reenacting, with amendments,
Article – Environment
Section 3–105
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1064 – Delegates Ramirez, Conaway, Hecht, Howard, James, Manno, McDonough, Robinson, Ross, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Donations for Classroom Libraries in Public Elementary Schools

FOR the purpose of providing a subtraction modification under the Maryland income tax for donations made by a business entity to a public elementary school for the establishment or continued operation of a classroom library in a certain manner; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain donations made by a business entity to a public elementary school.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1065 – Delegates O'Donnell and Ross

AN ACT concerning

Calvert County and Prince George's County – Deer Hunting on Private Lands – Sundays

FOR the purpose of authorizing a person in Calvert County or Prince George's County to hunt deer on certain Sundays on private property with a bow and arrow; removing Prince George's County from the list of counties in which deer hunting

on private lands on certain Sundays is prohibited; and generally relating to deer hunting on private lands on Sundays.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–405(a)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1066 – Delegates Jennings, Aumann, Bartlett, Boteler, Dwyer, Frank, Haddaway, Impallaria, Kelly, McConkey, McDonough, Norman, Smigiel, and Stifler

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 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–301(a) and (h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1067 – Delegates Ramirez, Howard, James, McComas, McDonough, Montgomery, Robinson, Shewell, Taylor, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Donations for Libraries in Community Centers or Recreation Centers

FOR the purpose of providing a subtraction modification under the Maryland income tax for donations made by a business entity to a community center or a recreation center for the creation or maintenance of a library; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain donations made by a business entity to a community center or a recreation center.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1068 – Delegate Davis

AN ACT concerning

Commercial Law – Equipment Dealer Contract Act – Scope

FOR the purpose of altering the definitions of "dealer" and "inventory" for purposes of the Equipment Dealer Contract Act to clarify that it applies to persons engaged in the business of selling, on commission or at retail, commercial heating, ventilation, and air–conditioning equipment or repair parts; and generally relating to the scope of the Equipment Dealer Contract Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 19–101
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1069 – Delegate Hammen

AN ACT concerning

Health Services Cost Review Commission – Financial Assistance and Debt Collection Policies

FOR the purpose of requiring each hospital in the State to develop a financial assistance policy for providing free care and reduced–cost care to certain patients; requiring a hospital to post a certain notice in its billing office; requiring each hospital to develop an information sheet that meets certain requirements; requiring the Health Services Cost Review Commission to establish uniform requirements for the information sheet and review each hospital's implementation of and compliance with certain requirements; requiring each hospital to ensure the availability of staff with certain training; altering requirements for each hospital's submission of a policy on debt collection; requiring the policy to meet certain requirements; requiring the Commission to review each hospital's implementation of and compliance with the policy and requirements; authorizing the Commission to impose a certain fine under certain circumstances and to consider certain items before imposing a fine; altering the requirements for regulations establishing alternative methods for financing certain costs of care; requiring the Commission to establish a workgroup on patient financial assistance and debt collection for a certain purpose; requiring the workgroup to report certain findings and recommendations on or before a certain date; requiring the Commission to study, make recommendations, and report on incentives for hospitals to provide free and reduced–cost care to certain patients; requiring the Office of the Attorney General, in consultation with certain entities and persons, to study, make recommendations, and report on the use of liens and the legal rate of interest on judgments for certain hospital bills; and generally relating to the

Health Services Cost Review Commission and hospital financial assistance and debt collection policies.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–214(b) and 19–214.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–214.2 and 19–214.3
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1070 – Delegate Davis

AN ACT concerning

Labor and Employment – Misclassification of Employees as Independent Contractors

FOR the purpose of prohibiting certain employers from misclassifying employees as independent contractors under certain circumstances; providing for the burden of proof in certain proceedings; authorizing the Commissioner of Labor and Industry to investigate alleged employee misclassification under certain circumstances; providing for the construction of this Act; establishing certain presumptions and procedures; requiring certain employers to keep certain records; requiring employers to allow the Commissioner to inspect and copy certain records; establishing certain penalties that may be imposed in certain proceedings relating to employment standards and conditions, workers' compensation, unemployment insurance, and income tax payment and withholding; defining certain terms; and generally relating to employers misclassifying employees as independent contractors.

BY adding to
Article – Labor and Employment
Section 3–103(e); and 3–901 through 3–905 to be under the new subtitle "Subtitle 9. Misclassification of Employees"
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment

Section 8–630 and 9–407
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax–General
Section 13–816
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1071 – Delegate Kach

AN ACT concerning

Health Insurance – Definition of Coverage Decisions – Pharmacy Inquiries

FOR the purpose of altering the definition of "coverage decision" so that it does not include a pharmacy inquiry for purposes of a certain complaint process; defining certain terms; and generally relating to health insurance coverage decisions.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–10D–01
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1072 – Delegate McHale

AN ACT concerning

Electricity – Smart Grid Initiative

FOR the purpose of establishing a pilot program on smart grid deployment under the authority of the Public Service Commission; stating certain findings of the General Assembly; providing for the purposes of the pilot program; requiring the Commission to conduct certain proceedings concerning the pilot program; requiring the initial deployment of smart grid technology under the pilot program to begin on or before a certain date; authorizing a certain electric company to recover certain costs under certain circumstances; requiring the Maryland Energy Administration, along with a certain electric company and a certain smart grid company, to submit a certain joint application to the U.S. Department of Energy for certain Smart Grid Funding Programs; requiring

certain funding received from a certain program to be used by the Administration, in coordination with the Commission, the electric company, and the smart grid company, in a certain manner; authorizing the Commission to use certain funds in a certain manner; requiring the Commission to make certain reports to certain committees on or before a certain date each year; defining a certain term; and generally relating to a pilot program on smart grid deployment.

BY adding to
Article – Public Utility Companies
Section 7–213
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1073 – Delegate Jones

AN ACT concerning

State Budget – Modifications – Reporting

FOR the purpose of requiring the State budget books to include a separate section for certain fiscal years, listing 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 2008 Supplement)

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

House Bill 1074 – Delegate Conaway

AN ACT concerning

Consumer Protection – Free Trial Period for Consumer Goods and Services Sold over the Internet – Charges to Credit Card

FOR the purpose of prohibiting a person that sells consumer goods or consumer services over the Internet and provides a trial period during which a consumer

may use the consumer goods or consumer services for free from automatically charging the consumer's credit card for the consumer goods or consumer services at the expiration of the free trial period; requiring the person to require the consumer to resubmit the consumer's credit card information at the expiration of the free trial period before charging the consumer's credit card for the continued use of the consumer goods or consumer services; 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 certain enforcement and penalty provisions; defining certain terms; and generally relating to free trial periods for consumer goods or consumer services sold over the Internet and charges to a consumer's credit card.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1075 – Delegate Conaway

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; 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801(f)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1076 – Delegates Conaway, Anderson, and Rosenberg

AN ACT concerning

Public Safety – Rifles and Shotguns – Possession by a Minor Prohibited

FOR the purpose of prohibiting a minor from possessing a rifle or shotgun; providing certain exceptions to the provisions of this Act; and generally relating to possession of a rifle or shotgun by a minor.

BY adding to
Article – Public Safety
Section 5–206
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1077 – Delegates Conaway and Boteler

AN ACT concerning

Subsequent Sexual Offenders – Reduced Diminution Credits, Parole Elimination, and Restrictions on Pretrial Release

FOR the purpose of decreasing the number of days per month that an inmate who has been convicted of certain sexual offenses is allowed as a deduction in advance from the inmate's term of confinement; eliminating parole eligibility for sexual offenders who are serving terms of imprisonment for certain offenses against minors committed on or after a certain date after having been previously convicted of certain sexual offenses against minors; providing that a certain provision of law does not restrict a certain authority of the Governor to pardon or remit a certain sentence; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain sexual offense against a minor if the defendant has previously been convicted of a certain sexual offense against a minor; 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; making stylistic changes; and generally relating to diminution credits, parole eligibility, and pretrial release for subsequent sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704 and 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1078 – Delegate Niemann

AN ACT concerning

Environment – Permit Applications – Notice Requirements

FOR the purpose of requiring notification by mail to certain record residential property owners of certain permit applications under certain circumstances; excluding certain permit applications from the notification requirements; requiring the notice to contain certain information; requiring permit applicants to pay the cost of the notice; authorizing the Department of the Environment to require the permit applicant to publish and send the notice; and generally relating to notice requirements for permit applications.

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–602
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1079 – Delegates Conaway and Boteler

AN ACT concerning

Vehicle Laws – Mandatory Seat Belt Use – Enforcement

FOR the purpose of limiting a police officer to enforcing certain mandatory seat belt laws only as a secondary action when detaining a driver for another suspected violation of the law; and generally relating to the enforcement of mandatory seat belt laws.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.3
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1080 – Delegates Jennings, Boteler, Dwyer, Ivey, Kipke, and Shank

AN ACT concerning

Health General – Milk Products – Raw Milk – Consumer Owned Livestock

FOR the purpose of exempting from certain regulation the sale of raw milk and raw milk products from certain producers directly to the final consumer if the consumer has a certain ownership interest in certain animals; requiring the ownership interest to be acquired by a certain contract; establishing that the exemption does not apply to certain sales of milk and milk products; providing that the prohibition on the sale of raw milk for human consumption is subject to the exemption; and generally relating to the regulation of the sale of milk and milk products for human consumption.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–403 and 21–434
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1081 – Delegates Jones, Bohanan, Branch, Bronrott, G. Clagett, Conway, DeBoy, Gaines, Griffith, Haynes, Heller, James, Levy, and Proctor

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; altering the grantees under certain projects; altering and expanding the authorized uses of certain grants; requiring certain loan proceeds to be encumbered by the Board of Public Works or expended for certain purposes by a certain date; altering the name of certain projects; altering the name of certain grants; extending the deadline by which certain grantees must present evidence to the Board of Public Works that certain matching funds will be provided; requiring that the construction and equipping of certain underground utilities be located on certain streets; altering the location of certain projects; authorizing certain grantees to provide and expend a certain type of matching fund; altering the name of certain grantees; making other

technical changes; and generally relating to amending prior authorizations of State Debt by the General Assembly to fund certain capital projects.

BY repealing and reenacting, without amendments,
Chapter 432 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2008
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2001, as amended by Chapter 219 of the Acts of the General Assembly of 2008
Section 1(3)

BY repealing and reenacting, with amendments,
Chapter 715 of the Acts of the General Assembly of 2001, as amended by Chapter 94 of the Acts of the General Assembly of 2002
Section 1

BY repealing and reenacting, with amendments,
Chapter 290 of the Acts of the General Assembly of 2002
Section 1(3) Item ZA00(OO)

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 (AV) and (ii) Item (O)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01(BE) and ZA02(BJ)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007 and Chapter 219 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(AR) and ZA02(AV)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA00(T) and ZA02 (BI)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(CA) and ZA02(BU)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA00(P), ZA01(AM), (AS), and (AT), and ZA02(AW), (AX), and (BH)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA00(M) and (S), ZA01(AJ), (BA), (BP), and (BQ,) and ZA02(BA) and (BB)

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

House Bill 1082 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – Iota Phi Theta Love/Action Center

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 Iota Phi Theta Fraternity, 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 Appropriations.

House Bill 1083 – Delegates Schuh and V. Clagett

AN ACT concerning

Environment – On–Site Sewage Disposal Systems – Requirements

FOR the purpose of requiring persons who are engaged in the business of inspecting on–site sewage disposal systems under certain circumstances to make certain certifications to the Department of the Environment; requiring persons who are engaged in the business of inspecting on–site sewage disposal systems under certain circumstances to make certain information available to persons contracting for the inspection service; requiring persons who are engaged in the business of inspecting on–site sewage disposal systems under certain circumstances to register with a certain county prior to conducting certain inspections; requiring the Department to make available a certain list of persons on the Department's website; authorizing the Department to establish a certain fee under certain circumstances; requiring a county, on or before a certain date, to adopt a certain on–site sewage disposal management plan and include the plan in the county's water and sewer plan; requiring the Department to adopt certain regulations relating to nitrogen removal

requirements, inspection requirements, and repair and replacement requirements for on–site sewage disposal systems; requiring the Department to define a certain term under certain conditions; authorizing the Department to adopt certain regulations; requiring a county to provide certain notice to certain owners of on–site sewage disposal systems; authorizing a county to establish a certain fee under certain circumstances; requiring certain owners to have an on–site sewage disposal system inspected, repaired, or replaced under certain circumstances; exempting certain owners from certain repair or replacement requirements under certain circumstances; establishing certain civil penalties for certain violations; requiring the Comptroller to deposit a certain percentage of certain funds for reimbursement of certain costs; providing a tax credit for certain costs under certain circumstances; defining certain terms; and generally relating to on–site sewage disposal systems.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–217.1, 9–505(a)(18)(iii) and (19), and 9–1605.2(g) and (h)(1) and (2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 9–505(20); 9–11A–01 through 9–11A–05 to be under the new subtitle "Subtitle 11A. On–Site Sewage Disposal Systems"; and 9–1605.2(i)(2)(x)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1084 – Delegates O'Donnell and Shank

AN ACT concerning

Child Protection from Predators Act

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 construction of certain provisions of this Act; 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
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 1085 – Harford County Delegation and Delegates McComas and Norman

AN ACT concerning

Task Force to Study Maryland Property Tax Assessment Procedure

FOR the purpose of establishing a Task Force to Study Maryland Property Tax Assessment Procedure; 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 Assessments and Taxation 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 a Task Force to Study Maryland Property Tax Assessment Procedure.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1086 – Delegates Lee, Barkley, Bronrott, Dumais, Hecht, Hucker, Montgomery, Valderrama, and Waldstreicher

AN ACT concerning

Business and Economic Development – Grants for Nanotechnology

FOR the purpose of making nanotechnology enterprises eligible for certain assistance from the Maryland Economic Development Assistance Fund; providing that the assistance from the Fund to a nanotechnology enterprise may constitute a certain percentage of the total costs of the project being financed; expanding the purposes of the Program to include nanotechnology; expanding the types of grants to be awarded under the Program to include nanotechnology; declaring the intent of the General Assembly; requiring the Maryland Economic Development Corporation to adopt certain regulations; defining certain terms; expressing certain legislative priorities related to certain appropriations under

the Program; making stylistic changes; and generally relating to the creation of a program for nanotechnology and nanobiotechnology research.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 5–310
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–311, 5–321(b)(1), and 5–325(b)(2); and 10–445 through 10–450
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1087 – Delegates Lee, Ali, Boteler, Cane, Carr, DeBoy, Dumais, Hecht, Howard, Kipke, Krebs, Levy, McComas, McDonough, Robinson, Shewell, Stocksdale, F. Turner, Valderrama, and Walkup

AN ACT concerning

Criminal Law – Identity Theft Against Minors – Penalties

FOR the purpose of establishing that a person who violates the prohibition against identity fraud under circumstances that reasonably indicate that the person knew or should have known that the victim was a minor is guilty of a felony; providing penalties; and generally relating to identity fraud against minors.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(b) and (c)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 8–301(g)(4)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(g)(4) and (5)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1088 – Delegates DeBoy, G. Clagett, Doory, Frick, Jones, Lafferty, Malone, Schuler, and Stein

AN ACT concerning

Public Service Companies – Passenger–For–Hire Services – Limousines

FOR the purpose of repealing a certain provision exempting a certain limousine services permit from a certain annual assessment; authorizing the use of the For–Hire Driving Services Enforcement Fund for certain enforcement activities relating to limousine services; altering the definition of "limousine" for purposes of certain vehicle laws; prohibiting an individual from operating for hire a limousine designed to carry no more than a certain number of passengers unless the individual holds a certain for–hire driver's license and the limousine displays certain registration plates; prohibiting a person from permitting an individual to operate for hire a limousine designed to carry no more than a certain number of passengers unless the individual operating the limousine holds a certain for–hire driver's license and the limousine displays certain registration plates; providing for a certain penalty for a violation of certain provisions of this Act; requiring that a certain number of points be assessed against an individual under a certain point system maintained by the Motor Vehicle Administration for a violation of certain provisions of this Act; and generally relating to limousines and limousine services.

BY renumbering
Article – Transportation
Section 16–402(a)(10) through (37), respectively
to be Section 16–402(a)(11) through (38), respectively
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 10–101(a), (e), (f), (g), (h), (i), and (j), 10–102(b), and 10–103(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 10–112
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 11–129.1 and 27–101(z)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–939
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–402(a)(10) and 21–1127
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1089 – Delegates Waldstreicher, Mizeur, and Rosenberg

AN ACT concerning

Health Insurance – Coverage of In Vitro Fertilization Services

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage for certain benefits for outpatient services arising from certain in vitro fertilization procedures; and generally relating to coverage of in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–810
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1090 – Delegates Glenn, Valderrama, Anderson, Barnes, Bobo, Conaway, Doory, Dumais, Dwyer, Frank, Gilchrist, Gutierrez, Hecht, Hucker, Ivey, Jennings, Kramer, Kullen, Lee, McComas, Mizeur, Montgomery, Pena–Melnyk, Robinson, Schuler, Shank, Shewell, Smigiel, Tarrant, V. Turner, and Waldstreicher

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Person in Position of Authority

FOR the purpose of repealing the requirement that the prosecution of a misdemeanor offense of the prohibition against a certain person in a position of authority engaging in a sexual act or sexual contact with a minor, under certain circumstances, be instituted within 3 years after the offense was committed; prohibiting a certain person in a position of authority who is at least a certain number of years older than the victim from engaging in sexual contact, a sexual act, or vaginal intercourse with a minor while the minor is enrolled or participating in the institution, program, or activity at which the person in a position of authority works or a minor who was previously enrolled or participating in the institution, program, or activity at the same time the person in a position of authority was working at the institution, program, or activity; establishing penalties for violating this Act; repealing the prohibition against a person in a position of authority engaging in a sexual act or sexual contact with a minor who, at the time of the sexual act or sexual contact, is a student enrolled at a school where the person in a position of authority is employed and the prohibition against a person in a position of authority engaging in vaginal intercourse with a minor who, at the time of the vaginal intercourse, is a student enrolled at a school where the person in a position of authority is employed; defining a certain term; making technical corrections; and generally relating to sexual offenses.

BY repealing
Article – Courts and Judicial Proceedings
Section 5–106(z)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–106(aa)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301, 3–307, and 3–308
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1091 – Delegate Glenn

AN ACT concerning

Baltimore City and Prince George's County – Organization of Parents and Teachers – Matching Fund

FOR the purpose of renaming a certain Parent–Teacher Association Matching Fund Pilot Program to be the Organization of Parents and Teachers Matching Fund Pilot Program; clarifying the purpose of the Program and the eligibility for the Program; requiring a certain report to be submitted to a certain committee; extending a certain termination date; and generally relating to the Organization of Parents and Teachers Matching Fund Pilot Program in Baltimore City and Prince George's County.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–118
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 637 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 1092 – Delegates Frush and V. Clagett

AN ACT concerning

Environment – Recycling Receptacles – Events and Forests and Parks

FOR the purpose of requiring certain State agencies conducting an event open to the public at which certain beverages are provided in certain recyclable containers to provide receptacles for the collection of certain recyclable containers; requiring the Department of Natural Resources to provide certain receptacles at State forests and parks for the collection of certain recyclable containers; requiring certain State agencies to transfer certain recyclable containers to certain locations for certain purposes; requiring the Department of the Environment to adopt certain regulations; requiring the Department of the Environment and the Department of Natural Resources jointly to adopt certain regulations; defining a certain term; and generally relating to providing recycling receptacles at State events and State forests and parks.

BY adding to
Article – Environment
Section 9–1711
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1093 – Delegates McComas, Bartlett, Boteler, Eckardt, Elmore, Frank, Haddaway, Impallaria, Sossi, and Stocksdale

AN ACT concerning

Juvenile Causes – Obtaining Testimony of a Material Witness – Procedures

FOR the purpose of establishing certain procedures for obtaining the testimony of a material adult or juvenile witness in a juvenile court proceeding under certain circumstances; requiring that a court promptly conduct a hearing and make certain determinations when a certain law enforcement officer takes an adult or a juvenile into custody as a material witness without a certain court order for body attachment; authorizing a court, if the court makes certain determinations, to set bond for an adult witness and, if the adult is not able to post bond, commit the adult to jail for a certain period of time; providing that, if the witness is a juvenile and the court makes certain determinations, the court may place the witness in certain secure detention for a certain period of time; providing for the release of an adult or a juvenile material witness after a certain period of time unless a certain application of continued detention is filed with the court and the court, after a certain hearing, orders continued detention of the witness; establishing certain procedures for the court to order body attachment of a material witness on the application of a party to the proceeding; requiring the court to hold a hearing and make certain determinations for the body attachment of an adult witness or for a juvenile witness; providing a certain period of time for the detention of the witness unless the court, after a hearing, orders continued detention; authorizing the court to order testimony of a material witness to be taken by deposition and the witness released; establishing conditions for posting a certain bond for an adult witness; listing certain information that must be contained in an application for continued detention or for body attachment; prohibiting the execution of a body attachment on a juvenile witness except under certain circumstances; providing for notification of the detention of a material juvenile witness to the juvenile's parent, guardian, or custodian; providing for the application of this Act; defining certain terms; and generally relating to procedures for obtaining the testimony of a material witness in a juvenile court proceeding.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(a), (c), (j), and (l)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 3–8A–35
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a), (c), (n), and (p)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1094 – Delegates Ross, Levi, Braveboy, Holmes, and Vaughn

AN ACT concerning

Equity in Education Funding Act of 2009

FOR the purpose of providing for the calculation of net taxable income for the calculation of certain State aid for education beginning in a certain fiscal year; providing for the allocation of funds for State aid for education resulting from certain calculations; providing for the allocation of federal funds under certain circumstances; providing for the application of this Act; and generally relating to the determination of net taxable income for purposes of certain State aid for education funding.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(9)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 5–202(a–1)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1095 – Prince George's County Delegation

AN ACT concerning

Prince George's County Telecommunications Tax – School Funding

PG 412–09

FOR the purpose of requiring that a certain percentage of the revenue from the Prince George's County sales and use tax on telecommunications service be used for operating expenditures of the Prince George's Community College; altering the percentage of the revenues from the Prince George's County sales and use tax on telecommunications service that is required to be used for operating expenses of the Prince George's County school system; and generally relating to the use of revenue from the Prince George's County sales and use tax on telecommunications service.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–606(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1096 – Delegate Hammen

AN ACT concerning

Department of Health and Mental Hygiene – Substance Abuse Services

FOR the purpose of requiring the Department of Health and Mental Hygiene to establish a delivery system for substance abuse services; requiring the Alcohol and Drug Abuse Administration to design and monitor the delivery system and to provide for a certain reimbursement; requiring the Department to contract with an administrative services organization to provide certain services; requiring the Department to contract with a certain administrative services organization; requiring a certain contract to contain a certain requirement; requiring the Department to convene a certain workgroup to examine and make recommendations regarding a redesign of the State's delivery of substance abuse services; requiring the workgroup to examine certain issues; requiring the workgroup to submit a certain report to the General Assembly on or before a certain date; requiring the Alcohol and Drug Abuse Administration to conduct a certain survey and provide certain information to the workgroup on or before a certain date; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Department of Health and Mental Hygiene and the provision of substance abuse services.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (b)(21)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–103(b)(31)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1097 – Delegates Waldstreicher, Benson, Bronrott, Carr, DeBoy, Doory, Dumais, Feldman, Glenn, Gutierrez, Hecht, Hucker, Ivey, Kaiser, Kirk, Kramer, Mizeur, Nathan–Pulliam, Pena–Melnyk, Rice, V. Turner, and Valderrama

AN ACT concerning

Maryland Health Insurance Plan – Coverage of Mammograms

FOR the purpose of providing that the Maryland Health Insurance Plan is subject to certain provisions of law relating to coverage of mammograms; and generally relating to the Maryland Health Insurance Plan.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–509(a), (b), and (d) and 15–814
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–509(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1098 – Delegate Love

AN ACT concerning

Workers' Compensation – Medical Records – Authorized Disclosures

FOR the purpose of authorizing a health care provider to disclose a certain medical record without the authorization of a person in interest in connection with a claim for workers' compensation benefits; providing that disclosure of certain

mental health records filed under the workers' compensation law is subject to certain limitations; and generally relating to the authorized disclosure of medical records for claims filed under the workers' compensation law.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(g) and (k), 4–306(c), and 4–307(b) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–306 (b)(9) and (10)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 4–306(b)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1099 – Delegates Ramirez, Anderson, Barnes, Carter, Dumais, Kramer, McConkey, Rosenberg, Schuler, Simmons, Smigiel, Valderrama, and Vallario

AN ACT concerning

Mental Health – Local Correctional Facilities – Incarcerated Individuals with Mental Illness

FOR the purpose of requiring the managing official of a local correctional facility to provide access to a certain amount of medication to certain individuals under certain circumstances; providing that part of a certain supply of medication may be provided by prescription under certain circumstances; establishing immunity from civil liability for certain persons; creating a certain exception; and generally relating to mental health treatment for incarcerated individuals.

BY adding to
Article – Correctional Services
Section 11–206
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Health and Government Operations.

House Bill 1100 – Delegates Love, Barkley, Braveboy, Feldman, Frush, Harrison, Hecht, Hubbard, Impallaria, Kirk, Krysiak, Manno, Minnick, Sophocleus, and Vaughn

AN ACT concerning

Commercial Law – Maryland Gasohol and Gasoline Products Marketing Act – Marketing Premises

FOR the purpose of prohibiting a refiner under the Maryland Gasohol and Gasoline Products Marketing Act from selling, transferring, or assigning to another person the refiner's fee simple or leasehold interest in certain premises leased to a dealer unless the refiner makes certain offers of the refiner's interest to the dealer; requiring a certain person that acquires a refiner's interest in certain marketing premises to maintain a certain lease and offer a certain new lease before a certain date; providing that this Act does not prohibit a refiner from requiring a dealer to enter into a certain supply agreement as a condition to the sale of the 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(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 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 2008 Supplement)

BY adding to
Article – Commercial Law
Section 11–301(k) and 11–304(n)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1101 – Delegates Norman, Boteler, Eckardt, Frank, James, Jennings, Krebs, McComas, McConkey, Riley, Schuh, Serafini, Shank, Smigiel, Sossi, Stifler, and Stull

AN ACT concerning

Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process

FOR the purpose of establishing a Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing for the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; requiring the Task Force to conduct certain studies and make certain evaluations and recommendations; requiring that the Task Force issue a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review the Property Tax Assessment Appeals Process.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1102 – Delegates Norman, McDonough, Boteler, Dwyer, Eckardt, George, Jennings, Krebs, McComas, Schuh, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Criminal Procedure – Court Costs – Payment for Foreign Language Interpreter

FOR the purpose of altering the definition of "costs" in a criminal case to include a certain amount for services and expenses paid to a foreign language interpreter appointed for a defendant; authorizing a court to charge a defendant who is found guilty of a crime and who was appointed a foreign language interpreter during the prosecution of the case with certain costs for the services and expenses of the interpreter; making stylistic changes; and generally relating to the payment for a foreign language interpreter in a criminal case.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–501, 7–502, and 9–114
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1103 – Delegates Norman, Anderson, Boteler, Holmes, Impallaria, Jennings, McComas, McConkey, Myers, Riley, Shewell, and Stull

AN ACT concerning

Business Regulation – Secondhand Sporting Goods Dealers – Records

FOR the purpose of requiring secondhand sporting goods dealers who acquire certain sporting goods, with a certain market value, to make a certain record of the transaction; specifying the contents of the transaction record; requiring secondhand sporting goods dealers to keep the transaction record at a certain location for a certain period of time; requiring secondhand sporting goods dealers to allow certain inspections of certain records under certain circumstances; establishing certain penalties for certain violations of this Act; defining certain terms; and generally relating to the records required for secondhand sporting goods transactions.

BY adding to
Article – Business Regulation
Section 19–601 through 19–605 to be under the new subtitle "Subtitle 6. Secondhand Sporting Goods Dealers"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1104 – Delegate Vaughn

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 in the amount of $400,000, 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; 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 Appropriations.

House Bill 1105 – Delegates Frush, Beidle, Bobo, and Costa

AN ACT concerning

Private Wastewater Treatment Act of 2009

FOR the purpose of prohibiting a person from installing a certain privately owned on–site wastewater treatment system under certain circumstances; defining a certain term; and generally relating to privately owned on–site wastewater treatment systems.

BY adding to
Article – Environment
Section 9–1108
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1106 – Delegates Frush, Beidle, V. Clagett, Costa, Dwyer, George, Healey, Hubbard, King, Kipke, Love, McConkey, and Schuh

AN ACT concerning

Bay Restoration Fund – Septic Systems – Nitrogen Removal Projects

FOR the purpose of prohibiting a certain local government from prohibiting a certain homeowner that receives certain grant funding for certain projects related to the removal of nitrogen from onsite sewage disposal systems from placing an addition or accessory structure on the homeowner's dwelling unit; and generally relating to grant funding for projects related to the removal of nitrogen from onsite sewage disposal systems.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(1) and (2)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 9–1605.2(i)(10)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1107 – Delegates McComas, Ali, Bronrott, Frank, Hecht, Jameson, Kaiser, Lee, Proctor, Schuler, Stocksdale, and Walkup

AN ACT concerning

Health – Task Force on Alzheimer's Disease

FOR the purpose of establishing a Task Force on Alzheimer's Disease; providing for the membership of the Task Force; designating the chair of the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive certain reimbursement; requiring a certain person to designate certain staff for the Task Force; requiring the Task Force to survey certain research, practices, and approaches regarding Alzheimer's disease; requiring the Task Force to make certain recommendations; 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 the Task Force on Alzheimer's Disease.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1108 – Delegates McComas, Bartlett, Boteler, Eckardt, Elmore, Haddaway, Impallaria, Sossi, and Stocksdale

AN ACT concerning

Juvenile Law – Taking Child into Custody – Arrest Warrant

FOR the purpose of authorizing a law enforcement officer to take a child into custody with an arrest warrant issued by the court; and generally relating to the authority of a law enforcement office to take a child into custody.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–14
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1109 – Delegates McComas, Dwyer, Frank, Sossi, and Stocksdale

AN ACT concerning

Administrative Procedure Act – Exemption – Death Penalty Protocols

FOR the purpose of exempting from the requirements of the Administrative Procedure Act the protocols of the Department of Public Safety and Correctional Services governing the administration of the death penalty, including any execution operations manual; and generally relating to death penalty protocols and the Administrative Procedure Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–102
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1110 – Delegate Bromwell

AN ACT concerning

State Board of Physicians – Discipline – Failure to Comply with Governor's Order

FOR the purpose of authorizing the State Board of Physicians to take certain disciplinary actions against certain licensees for failure to comply with certain orders of the Governor; providing a certain exception to a certain criminal penalty and a certain fine; prohibiting certain physicians from failing to comply with certain orders of the Governor; subjecting certain physicians to certain disciplinary actions; and generally relating to the discipline of a physician who fails to comply with an order of the Governor relating to a catastrophic health emergency.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–404(a)(39) and (40)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 14–404(a)(41)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 14–3A–03(c)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 14–3A–08
Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1111 – Delegate Cardin

AN ACT concerning

Task Force on Summer Learning

FOR the purpose of establishing a Task Force on Summer Learning; establishing the membership and staffing of the Task Force; providing for the designation of the chair of the Task Force; requiring the Task Force to evaluate and make policy recommendations regarding certain issues; prohibiting a member of the Task Force from receiving certain compensation; prohibiting the use of State funds to support Task Force activities; allowing the Task Force to solicit funding from public and private foundations and to make use of certain federal funds; requiring the Task Force to submit a certain report to the Governor and the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the Task Force on Summer Learning.

Read the first time and referred to the Committee on Ways and Means.

House Bill 1112 – Kent County Delegation

AN ACT concerning

Kent County – Home Builders Guaranty Fund Fees – Administrative Costs

FOR the purpose of requiring the building and permits department of Kent County to retain a certain portion of the Home Builders Guaranty Fund fees collected each month by the building and permits department in an amount not to exceed the actual cost of administering the Guaranty Fund fees; and generally relating to the Home Builders Guaranty Fund fees and Kent County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4.5–704
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1113 – Delegates Barnes, Frush, Feldman, Holmes, Pena–Melnyk, Ramirez, and Ross

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 2008 Supplement)

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

House Bill 1114 – Delegate Stifler (By Request) and Delegates Aumann, Dumais, McHale, Montgomery, and Norman

AN ACT concerning

Family Law – Child Support – Postsecondary Education

FOR the purpose of authorizing a court to require a child support obligor to continue child support payments if the child is enrolled full time in postsecondary school; and generally relating to child support.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–101
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1115 – Delegates Frank, Dwyer, and McConkey

AN ACT concerning

Courts – Legislative Continuances and Time Extensions – Parties to Proceedings

FOR the purpose of extending the application of certain provisions of law relating to legislative continuances of legal proceedings and time extensions for the filing of

documents relating to legal proceedings to instances where a member or desk officer of the General Assembly or a member of certain legislative committees is a party to a proceeding; and generally relating to legislative continuances and time extensions with respect to certain proceedings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 6–402
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1116 – Delegates Lafferty, Ali, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, Conway, Costa, Frush, Gaines, Guzzone, Heller, Holmes, Hubbard, Hucker, Kullen, Manno, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Rosenberg, and Weir

AN ACT concerning

Smart Growth – Visions and Performance Standards

FOR the purpose of altering the visions for certain land use plans; establishing certain performance standards to measure the achievement of the visions; requiring a certain plan to enable a local jurisdiction to meet certain performance standards on or before a certain date; adding to the requirements for the elements of a plan; requiring a local jurisdiction to demonstrate to the Department of Planning on or before a certain date that the plan will achieve the performance standards on or before a certain date; authorizing the Department of Planning to grant certain extensions under certain circumstances; requiring the Department of Planning to review the plan and any amendments within a certain time period and to make a certain certification or finding; requiring the Department of Planning to take certain actions, including granting a local jurisdiction a certain extension to revise, readopt, and resubmit its plan to the Department of Planning for certification under certain circumstances; authorizing a certain local jurisdiction to seek a contested case hearing before the Office of Administrative Hearings under a certain provision of law; providing for the application of certain provisions of this Act; requiring that a local jurisdiction be given priority with regard to the disbursement of certain funding under certain circumstances; requiring a planning commission to follow certain procedures in proposing and approving a plan; requiring a planning commission to provide certain technical assistance under certain circumstances; requiring the Department of the Environment to deny certain permits and approvals under certain circumstances; requiring a planning commission to include certain information in a certain annual report; requiring a local legislative body to adopt certain regulations to achieve certain performance standards; prohibiting the Department of the Environment from issuing certain

permits under certain conditions; altering the State Economic Growth, Resource Protection, and Planning Policy; requiring the Governor to establish certain procedures for review of State projects by a certain date; requiring a local government to make a certain certification to the Department of Planning regarding priority funding areas; defining a certain term; and generally relating to the visions and performance standards applicable to certain land use plans.

BY adding to
Article 66B – Land Use
Section 1.00(i), 3.05(g) and (h), and 3.07.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.00(i), (j), (k), (l), and (m), 1.01, 3.05(a)(2) and (3) and (b)(1) and (2), 3.07, 3.09, and 4.03
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 3.05(a)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–103(a), 4–204(a), and 9–324(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–7A–01, 5–7A–02(c), and 5–7B–08(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1117 – Delegates Lee, Barkley, Beidle, Boteler, Bronrott, Carr, DeBoy, Dumais, Elliott, Frick, Hecht, Ivey, Kaiser, Kipke, Kramer, Krebs, Levi, Levy, McComas, McDonough, Montgomery, Ramirez, Riley, Robinson, Shewell, Sophocleus, Stocksdale, F. Turner, Valderrama, and Walkup

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; 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; altering, under the Public Access Automated External Defibrillator 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; 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 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–603(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 13–517(a)(1) and (2)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 13–517(j)(3)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1118 – Delegates Lee, Ali, Boteler, Bronrott, Cane, Carr, DeBoy, Dumais, Hecht, Howard, Kipke, McComas, McDonough, Robinson, Shewell, F. Turner, Valderrama, and Walkup

AN ACT concerning

Personal and Business Documents – Use in Judicial and Administrative Proceedings

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; and generally relating to the admissibility of documents 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 2008 Supplement)

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

House Bill 1119 – Delegates V. Turner, Barnes, Benson, Ivey, Kullen, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Tarrant, Valderrama, Walker, and Weldon

AN ACT concerning

Department of Health and Mental Hygiene – Federal Waiver – Waiver for Medicaid Coordinated Long–Term Care Program

FOR the purpose of requiring the Department of Health and Mental Hygiene to apply for a certain waiver under the federal Social Security Act on or before a certain date; requiring a certain waiver to include certain goals and objectives; requiring a certain waiver to include certain benefits and consumer protections regarding the choice of certain long–term care facilities; requiring certain coordinated care organizations to reimburse certain facilities at certain rates; requiring certain coordinated care organizations to meet certain certification requirements; requiring the Department to report annually on the status of a certain program; defining certain terms; and generally relating to long–term care eligibility requirements and waiver services in the Maryland Medical Assistance Program.

BY adding to
Article – Health – General
Section 15–141.1

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1120 – Delegates Lee, Ali, Boteler, Bronrott, Cane, Carr, DeBoy, Dumais, Hecht, Howard, Kaiser, Kipke, McComas, McDonough, Robinson, Shewell, Stocksdale, F. Turner, Valderrama, and Walkup

AN ACT concerning

Social Security Numbers – Prohibited Uses

FOR the purpose of prohibiting a person from printing or storing an individual's Social Security number on a certain card required for access to certain products or services or on a certain identification card; prohibiting a person from using an individual's Social Security number for commercial gain; prohibiting a person from including an individual's Social Security number on certain Medicare or Medicaid documents, except under certain circumstances; prohibiting a person from requiring an individual to use the individual's Social Security number as an access code; prohibiting the inclusion of an individual's Social Security number on an application, form, or document sent in connection with a credit card solicitation; prohibiting a unit or instrumentality of the State government or of a political subdivision of the State, including any court, from using or requiring the use of an individual's Social Security number on a public record; and generally relating to the use of Social Security numbers.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–3401
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–3402
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 10–603
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 10–611(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1121 – Delegates Hucker and Feldman

AN ACT concerning

Information Technology – Public–Private Deployment Initiative

FOR the purpose of requiring the Department of Information Technology to enlist a certain public–private partnership for certain purposes, including fostering deployment of high–speed Internet service and other telecommunications and information technology services through a certain initiative; requiring the partnership to receive certain input; requiring certain public units to cooperate with certain entities for certain purposes; establishing certain components and requirements of the initiative; requiring and authorizing the Department to contract with a certain not–for–profit organization for certain purposes; stating findings of the General Assembly; and generally relating to high–speed Internet and telecommunications deployment.

BY adding to
Article – State Finance and Procurement
Section 3A–405
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1122 – Delegates Lee, Boteler, DeBoy, Dumais, Gutierrez, Kipke, McComas, McDonough, Robinson, Shewell, F. Turner, Valderrama, and Walkup

AN ACT concerning

Identity Fraud – Seizure and Forfeiture of Property

FOR the purpose of establishing seizure and forfeiture procedures for certain property obtained through or used in connection with felony 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 a felony 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
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 13–501 through 13–509 to be under the new subtitle "Subtitle 5. Violations of Identity Fraud Law"
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1123 – Delegates Ivey, Healey, Niemann, Olszewski, Ramirez, and Ross

AN ACT concerning

Liquefied Natural Gas Facilities – Approval for Construction or Operation

FOR the purpose of prohibiting the construction or operation of a certain liquefied natural gas facility without the approval of the Public Service Commission; prohibiting the Commission from granting regulatory approval for the construction or operation of a certain liquefied natural gas facility that is located within a certain distance from certain buildings or places or in a location that is inconsistent with certain zoning laws or ordinances; and generally relating to liquefied natural gas facilities.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 11–101
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1124 – Delegates Lee, Barkley, Bronrott, Dumais, Hecht, Hucker, Valderrama, and Waldstreicher

AN ACT concerning

Coordinating Emerging Nanobiotechnology Research in Maryland Program – Public–Private Partnerships

FOR the purpose of requiring the Maryland Technology Development Corporation to foster certain public–private partnerships as feasible to carry out the purpose of the Coordinating Emerging Nanobiotechnology Research in Maryland Program; and generally relating to the Coordinating Emerging Nanobiotechnology Research in Maryland Program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–447
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1125 – Delegates Lee, Bronrott, Dumais, Glenn, Hecht, Hucker, Montgomery, Valderrama, and Waldstreicher

AN ACT concerning

Income Tax Credit – Nanobiotechnology Investment Incentives

FOR the purpose of allowing certain qualified investors a credit against the Maryland income tax for certain investments in nanobiotechnology companies; providing that a qualified investor may not own or control more than a certain percentage of the equity interest in a nanobiotechnology company; providing for applications to the Department of Business and Economic Development for approval of the credit and certification by the Department to investors of approved credit amounts; requiring a qualified investor to make an investment in a qualified nanobiotechnology company within a certain number of days after the Department issues an initial credit certificate; requiring a qualified investor to provide certain notice of an investment within a certain number of days; requiring, if certain notice is not provided, the Department to rescind the initial tax credit certificate and revert the amount to a certain Reserve Fund; limiting the amount of the credit allowed in an initial tax credit certificate; prohibiting the Secretary of the Department from certifying eligibility for tax credits, during any fiscal year, for investments in a single company that exceed a certain percentage of the total appropriations made to the Reserve Fund; allowing a qualified investor to claim a refund under certain circumstances;

creating the Maryland Nanobiotechnology Investment Tax Credit Reserve Fund; providing that the Reserve Fund is a nonlapsing fund; providing for the investment of the money of the Reserve Fund; requiring the Secretary to issue an initial tax credit certificate for certain investments; providing that the Secretary may not issue initial tax credit certificates that total more than a certain appropriation to the Reserve Fund; allowing any excess money in the Reserve Fund to be used for credits in the next fiscal year; providing that the maximum credit amounts in the aggregate must be reduced if money is transferred from the Reserve Fund; authorizing the Governor to include a certain appropriation to the Reserve Fund in the budget bill; prohibiting the Governor from reducing an appropriation to the Reserve Fund as approved by the General Assembly in the budget bill; requiring the Secretary to issue a final tax credit certificate in a certain amount under certain circumstances; requiring the Department to provide certain notification to the Comptroller as to the amount of final credit certificates issued during a quarter; requiring the Comptroller, on notification that an investment has been certified, to transfer a certain amount from the Reserve Fund to the General Fund; providing for the recapture of the credit under certain circumstances; requiring the Department, before January 10 of each year, to report certain information to the Governor and General Assembly; requiring the Department and the Comptroller jointly to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain investment in certain nanobiotechnology companies.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1126 – Delegates Lee, Ali, Boteler, Bronrott, Cane, Carr, DeBoy, Dumais, Hecht, Howard, Kipke, Krebs, McComas, McDonough, Robinson, Shewell, Stocksdale, F. Turner, Valderrama, and Walkup

AN ACT concerning

Crimes – Identity Fraud – Restitution for Loss of Employment or Wages

FOR the purpose of authorizing a court to order a person who pleads guilty or nolo contendere to the crime of identity fraud or who is found guilty of identity fraud to make restitution to the victim for reasonable costs, including reasonable attorney's fees, incurred by the victim in connection with a loss of employment or wages from employment; and generally relating to the crime of identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(i)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1127 – Delegates Love, Beidle, Frush, George, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Monarch Academy Public Charter School Building

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 Board of Directors of the Monarch Academy Public Charter 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 Appropriations.

House Bill 1128 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Sheriff and Sheriff's Deputies – Alteration of Duties

PG 304–09

FOR the purpose of repealing a certain termination date concerning certain duties of the Sheriff and Sheriff's deputies of Prince George's County; and generally relating to repealing a certain termination date concerning certain duties of the Sheriff and Sheriff's deputies of Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(r)(8)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings

Section 2–309(r)(9) and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 618 of the Acts of the General Assembly of 2007
Section 2

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

House Bill 1129 – Delegate Rosenberg

AN ACT concerning

Correctional Services – Diminution Credits – Educational Programs and Work Tasks

FOR the purpose of reducing the number of days for which certain deductions from a certain inmate's term of confinement are calculated; adding to the list of crimes for which, if a certain inmate's term of confinement includes a sentence for the offense, a certain deduction is calculated at a reduced rate; increasing the number of days that a certain inmate may earn as a deduction from the inmate's term of confinement under certain circumstances; providing that a certain inmate shall receive a certain deduction from the inmate's term of confinement if the inmate obtains a certain diploma or degree; providing that a certain deduction may not count toward a certain maximum deduction; reducing the number of days that a certain inmate may earn as a deduction from the inmate's term of confinement under certain circumstances; providing that a certain provision of law authorizing the Division of Correction to revoke a portion or all of certain diminution credits under certain circumstances does not apply to diminution credits awarded under a certain provision of law; repealing a provision of law authorizing the Division of Correction to adopt certain regulations; repealing a requirement that a certain inmate manifest satisfactory industry and application in a certain course in order to earn a certain deduction; providing that a certain inmate may not be allowed a certain deduction of more than a certain number of days, with a certain exception; providing that a certain managing official may revoke some or all of the diminution credits earned under a certain provision of law under certain circumstances; providing that a certain provision of law authorizing a certain managing official to revoke a portion or all of certain diminution credits under certain circumstances does not apply to diminution credits awarded under a certain provision of law; authorizing a certain managing official to restore certain revoked diminution credits; making stylistic changes; and generally relating to diminution credits for inmates in correctional facilities.

BY repealing and reenacting, with amendments,
Article – Correctional Services

Section 3–704 through 3–709, 11–505, and 11–507
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Correctional Services
Section 3–706.1, 11–505.1, and 11–506.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing
Article – Correctional Services
Section 9–506
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 11–501 through 11–504 and 11–506
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

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

House Bill 1130 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public School Facilities – Surcharge

PG 413–09

FOR the purpose of requiring revenue collected under the school facilities surcharge to be used for certain purposes in the legislative district in which a building permit for new residential construction is issued; and generally relating to the school facilities surcharge.

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George's County
Section 10–192.01(a)
Article 17 – The Public Local Laws of Maryland
(2003 Edition and 2005 Supplement, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003, Chapter 166 of the Acts of the General Assembly of 2007, and Chapter 108 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George's County
Section 10–192.01(e)
Article 17 – The Public Local Laws of Maryland
(2003 Edition and 2005 Supplement, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003, Chapter 166 of the Acts of the General Assembly of 2007, and Chapter 108 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1131 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Tax Increment Financing – Small, Local, or Minority Business Enterprises

PG 406–09

FOR the purpose of requiring that certain small, local, or minority business enterprises receive at least a certain percentage ownership in certain projects wholly or partially financed through certain bonds in Prince George's County; providing that a certain ownership requirement does not apply to certain tax–exempt or not–for–profit entities or to certain projects; requiring the County Council of Prince George's County to enact certain local laws with respect to the definition and certification of small, local, and minority business enterprises; requiring the County Council of Prince George's County to conduct a certain study and report the results of the study to certain entities before a certain date; and generally relating to tax increment financing and small, local, and minority business enterprises in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 12–207
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1132 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Transit District – Transit Facilities – Public School Transportation

MC/PG 116–09

FOR the purpose of establishing that, for certain purposes relating to the Washington Suburban Transit District, in Prince George's County the definition of "transit facilities" includes all matters and things utilized in rendering public school transportation; and generally relating to the Washington Suburban Transit District.

BY repealing and reenacting, with amendments,
The Public Local Laws of Montgomery County
Section 87–2(g)
Article 16 – Public Local Laws of Maryland
(2004 Edition and September 2008 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Part III, Section 2(a)(7)
Article 17 – Public Local Laws of Maryland
(2003 Edition and 2005 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1133 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Comprehensive Whistleblower Protections

MC/PG 120–09

FOR the purpose of requiring the Washington Suburban Sanitary Commission to adopt certain regulations on or before a certain date that establish certain comprehensive employee whistleblower protections; requiring the regulations to be similar to certain other provisions, prohibit a certain manager or supervisor from taking or refusing to take a certain personnel action against a certain employee under certain circumstances, require the Commission to provide certain written notice to certain employees, set up a certain procedure for filing certain complaints or grievances, establish a system for investigating certain complaints, and set forth certain remedial actions that may be taken under certain circumstances; and generally relating to Washington Suburban Sanitary Commission regulations establishing comprehensive employee whistleblower protections.

BY adding to

Article 29 – Washington Suburban Sanitary District
Section 18–109
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

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

House Bill 1134 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Audit and Financial Statements

MC/PG 122–09

FOR the purpose of requiring the Washington Suburban Sanitary Commission to file each year a certified copy of its annual audit and current financial statements with the Montgomery County and Prince George's County Senate and House delegations to the Maryland General Assembly; and generally relating to the audits and financial statements of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–106
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1135 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Workers' Compensation – Lyme Disease Presumption

MC/PG 103–09

FOR the purpose of applying the occupational disease presumption under the workers' compensation law to employees in the service and labor bargaining unit or trades bargaining unit of the Maryland–National Capital Park and Planning Commission who contract Lyme disease under certain circumstances; providing that a certain presumption only applies for a certain period of time under

certain circumstances; providing that employees in the service and labor bargaining unit or trades bargaining unit who are eligible for benefits under this Act shall receive the benefits in addition to certain retirement benefits, subject to a certain adjustment; providing for the termination of this Act; 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
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1136 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Montgomery County – Washington Suburban Sanitary Commission – Financial Oversight Act

MC/PG 101–09

FOR the purpose of requiring the Washington Suburban Sanitary Commission to file a certified copy of its annual audit and current financial statements each year with the County Council of Montgomery County; authorizing the County Council of Montgomery County to audit and examine the books and records of the Commission under certain circumstances; and generally relating to audits and financial statements of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–106 and 4–101(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1137 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Budget Approval

MC/PG 105–09

FOR the purpose of providing that if the county councils of Montgomery and Prince George's counties fail to concur in a change in the funding of an item in the capital budget of the Washington Suburban Sanitary Commission (WSSC) by a certain time, the funding level for that item may not exceed a certain level; providing that if the county councils of Montgomery and Prince George's counties fail to approve the capital budget of the WSSC by a certain time, the funding levels for the capital budgets may not exceed a certain level; and generally relating to the capital budget of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–204
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1138 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–Washington Regional District – Prince George's County – General Plan and Local Master Plans

MC/PG 106–09

FOR the purpose of requiring the Maryland–National Capital Park and Planning Commission, at certain intervals, to initiate and adopt a general plan for the development of the portion of the Maryland–Washington Regional District that is located in Prince George's County and certain local master plans for certain areas in the portion of the Maryland–Washington Regional District that is located in Prince George's County; and generally relating to a general plan and certain local master plans for certain areas in the portion of the Maryland–Washington Regional District located in Prince George's County.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–108(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1139 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – System Development Surcharge – Exemptions

MC/PG 104–09

FOR the purpose of authorizing the County Councils of Montgomery County and Prince George's County to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary Commission for certain properties owned by certain entities that are exempt from federal taxation and whose primary use, mission, and purpose is to provide programs and services to youth under certain circumstances; extending through a certain date the authority of the county councils of Montgomery County and Prince George's County to grant a certain exemption from a certain system development charge; providing for the termination of this Act; and generally relating to the Washington Suburban Sanitary Commission and the system development charge.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 423 of the Acts of the General Assembly of 2007
Section 3

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1140 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Montgomery County – Planning Board – Enforcement Powers

MC/PG 109–09

FOR the purpose of authorizing the Montgomery County Planning Board to appoint a hearing officer with certain powers under certain circumstances; authorizing the Circuit Court for Montgomery County to compel compliance with a

subpoena issued by a hearing officer appointed by the Montgomery County Planning Board under certain circumstances; and generally relating to the enforcement powers of the Montgomery County Planning Board in the Maryland–National Capital Park and Planning Commission.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–116.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1141 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Montgomery County Municipal Corporations – Authority to Regulate Commercial Signs

MC/PG 111–09

FOR the purpose of authorizing municipal corporations in Montgomery County to enact by local law certain regulations for commercial signs.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–115.2
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1142 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Motions

MC/PG 121–09

FOR the purpose of prohibiting a certain motion before the Washington Suburban Sanitary Commission from being adopted without receiving a majority vote of the commissioners that includes at least one commissioner appointed from Montgomery County and one commissioner appointed from Prince George's

County; and generally relating to motions before the Washington Suburban Sanitary Commission.

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 1–108
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1143 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County District Council – Delegation of Powers

MC/PG 108–09

FOR the purpose of requiring the Prince George's County District Council of the Maryland–National Capital Park and Planning Commission to allow the governing body of a municipal corporation to exercise certain powers of the district council, subject to certain limitations.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–112.4
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1144 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Maryland–Washington Regional District – Highways – Pedestrian and Bicycle Traffic and Facilities

MC/PG 115–09

FOR the purpose of requiring the Maryland–National Capital Park and Planning Commission in the Maryland–Washington Regional District to consider certain information relating to existing hiking, biking, and walking trails in the

Commission's review of certain proposed construction projects; requiring the Commission to communicate its reasons to certain persons if the Commission does not approve a certain proposed facility without conditions under certain circumstances; requiring the Director of Bicycle and Pedestrian Access to consult regularly with the Commission; adding a representative from the Commission to the membership of the Bicycle and Pedestrian Advisory Committee; increasing the maximum number of members of the Committee; requiring the State Highway Administration, for a project located in the Maryland–Washington Regional District, to implement a certain plan to increase safety and access for bicycle or pedestrian traffic; requiring the plan to be developed by a certain local government in consultation with the Commission under certain circumstances; requiring the Administration to construct a project in the Maryland–Washington Regional District in a manner that will enhance, to the extent possible, existing major routes for pedestrian and bicycle traffic; requiring the Administration to develop certain guidelines in consultation with the Commission under certain circumstances; requiring sidewalks to be constructed in response to a request by the Commission under certain circumstances; requiring certain persons that regularly employ more than a certain number of employees located in the Maryland–Washington Regional District to report to the Commission regarding certain accommodations for bicycle access by a certain date; making stylistic and technical changes; and generally relating to the bicycle and pedestrian traffic and facilities in the Maryland–Washington Regional District.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–112
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–604(b)(5), 2–606(b) and (d), 8–204(c), 8–601.1, and 8–630(b), (d), and (e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–606(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1008
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1145 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Membership

MC/PG 118–09

FOR the purpose of altering the composition of the Washington Suburban Sanitary Commission; providing for the appointment and removal of a certain commissioner under certain circumstances; altering a certain appointment requirement; providing for staggered terms; and generally relating to the composition of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–102, 1–103, and 1–104
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1146 – Delegate Smigiel

AN ACT concerning

Reorganization of State Government – Department of Emergency Services

FOR the purpose of reorganizing State government by establishing a Department of Emergency Services as a principal unit of the Executive Branch; repealing the Maryland Institute for Emergency Medical Services Systems and the State Emergency Medical Services Board; establishing a certain emergency management policy for the State; specifying that the Department is responsible for the coordination of certain emergency services in the State; specifying that the Department includes certain agencies, system plans, programs, and boards; providing for qualifications, appointment, powers, duties, and salary of the Secretary and Deputy Secretary of Emergency Services; specifying that the Attorney General is legal advisor to the Department; providing for certain duties of the Attorney General and certain counsel to the Department; transferring certain funding from the Maryland Institute for Emergency Medical Services Systems to the Department; transferring the Maryland Emergency Management Agency and certain powers, duties, and functions to

the Department; establishing the Maryland Emergency Management Agency in the Department; establishing that the Secretary shall appoint the Director of the Maryland Emergency Management Agency and that the Director serves at the pleasure of the Secretary; transferring certain powers, duties, and functions of the Maryland Institute for Emergency Medical Services Systems and the State Emergency Medical Services Board to the Department; requiring the Department to develop, adopt, and maintain the Emergency Medical System plan; specifying certain duties of the Secretary regarding the Emergency Medical System plan; requiring the Secretary to report to the Governor and General Assembly on or before a certain date; authorizing the Department to set and charge certain fees for the designation of trauma and specialty referral centers and pay certain fees to the EMS Trauma and Specialty Referral Centers Designation Fund; establishing the Emergency Medical Service Advisory Council in the Department to advise and assist the Department in performing certain functions; requiring the Secretary to appoint members of the Emergency Medical Service Advisory Council subject to the approval of the Governor; establishing the Charles McC. Mathias, Jr., National Study Center in the Department; requiring the Secretary to appoint the Director of the Charles McC. Mathias, Jr., National Study Center and receive certain cost recoveries received by the Study Center; requiring the Director of the Charles McC. Mathias, Jr., National Study Center to work closely with and submit certain budget and research plans to the Secretary; establishing that the R Adams Cowley Shock Trauma Center is a unit of the Department; requiring the Secretary to appoint the Director of the R Adams Cowley Shock Trauma Center subject to the approval of the Governor; requiring the Director of the R Adams Cowley Shock Trauma Center to report to and present the budget to the Secretary; requiring the Department to establish and maintain a certain licensing system for ambulance services; establishing a State Board of Paramedics in the Department; requiring the State Board of Paramedics to license certain emergency medical service providers; providing for the appointment, membership, duties, terms, officers, staffing, and reimbursement for the State Board of Paramedics; establishing certain peer review requirements for certain disciplinary proceedings; establishing a Board of Paramedics Fund to fund certain costs of fulfilling certain duties; requiring the Department to administer the Automated External Defibrillator Program; transferring the Maryland Fire and Rescue Institute from the University of Maryland to the Department; requiring the Director of the Maryland Fire and Rescue Institute to report to the Secretary; establishing the Maryland Fire and Rescue Institute in the Department; requiring the Secretary to collaborate with the Governor's Homeland Security Advisor, the Secretary of Health and Mental Hygiene, and certain other government officials to determine emergency services that are duplicated among those agencies and to submit a report to certain committees of the General Assembly on or before a certain date; substituting references to the Department of Emergency Services for references to the Maryland Institute for Emergency Medical Services Systems in certain provisions; defining certain terms; making certain technical changes; providing for the transfer of certain services, appropriations, funding, and grants on a

certain date; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges; abolishing the Maryland Institute for Emergency Medical Services Systems and providing that the Department of Emergency Services shall be the successor to the Institute by a certain date; abolishing the Emergency Medical Services Board and the provider review panel to the Board; providing that the State Board of Paramedics shall be the successor to the Emergency Medical Services Board; providing that certain employees transferred to the Department as a result of this Act shall be transferred without diminution of certain rights, benefits, or employment or retirement status; providing for the continuity of certain transactions affected by or flowing from this Act; 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 appropriate transitional provisions relating to the continuity of certain boards and other units; providing that the terms of certain members of the State Emergency Medical Services Board and the provider review panel will expire on a certain date; providing that certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges are transferred to the Department of Emergency Services; providing for the continuity of certain persons who are licensed, registered, permitted, and certified under certain departments, offices, and units; providing for the continuity of certain contracts, agreements, grants, or other obligations; providing that the Governor may not appoint a certain individual as Secretary of the Department; requiring 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 the provisions of this Act severable; and generally relating to the establishment of a Department of Emergency Services.

BY repealing
Article – Education
Section 13–103; and 13–501 through 13–517 and the subtitle "Subtitle 5. Emergency Medical Services"
Annotated Code of Maryland
(2008 Replacement Volume)

BY renumbering
Article – Public Safety
Section 14–101 through 14–115, respectively, and the subtitle "Subtitle 1. Maryland Emergency Management Agency Act"
to be Section 15–301 through 15–316, respectively, and the subtitle "Subtitle 3. Maryland Emergency Management Agency Act", respectively
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Public Safety
Section 15–101 through 15–206 and 15–401 through 15–1004 to be under the new title "Title 15. Department of Emergency Services"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 15–301 through 15–305, 15–311, and 15–313
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 15–306 through 15–310, 15–312, and 15–314 though 15–316
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–601 and 10–205
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–425
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–601(i), 5–608(a)(1), 13–203(a)(2)(i)15., 17–601(d) and (e), 17–602(c)(5)(iii), 19–130, 19–3A–02(b)(3), and 19–710.1(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health – General
Section 17–601(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14–502 and 14–506
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–305(b)(2)(iii) and 14–3A–01(e)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–121(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–201
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–118, 13–955, 16–102(b)(2), and 22–218(c)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 1147 – Delegate Donoghue

AN ACT concerning

Health Insurance – Reimbursement of Physicians for Administrative Services – Required

FOR the purpose of requiring health insurance carriers to reimburse physicians for certain administrative services provided to enrollees; defining certain terms; and generally relating to reimbursement of physicians by health insurance carriers.

BY adding to
Article – Health – General
Section 19–706(ttt)

Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 15–132
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1148 – Delegate Schuh

AN ACT concerning

Operating Budget – Elimination of Inflation Adjustments

FOR the purpose of repealing the inflation calculation for the target per pupil foundation amount for the calculation of education aid; repealing the inflation calculation for transportation aid for local school systems; modifying the calculation for the Aging School Program; repealing the inflation calculation for the funding grant to St. Mary's College of Maryland; repealing the inflation calculation for State funding for the local health services; repealing the inflation calculation for the Child Abuse Medical Providers Initiative; repealing the inflation calculation for the Maryland State Arts Council; and generally relating to automatic inflation adjustments for State aid.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(a)(13), 5–205(c), 5–206(f), and 14–405(b)(2)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–207(a)(4), 5–208(a)(6), 5–209(a)(7), 8–310.3(a)(4) and (b), and 8–317(a)(4), (b), and (c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–301, 2–302, and 13–2206(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 13–2206(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–325(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1149 – Delegates Montgomery, Bromwell, Costa, Donoghue, Hammen, and Oaks

AN ACT concerning

Maryland Medical Assistance Program – Uniform Statewide Transportation System for Nonemergency Services

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop and implement a certain uniform statewide transportation system for certain Maryland Medical Assistance Program recipients; requiring the transportation system to be operated by a single entity that responds directly to the Department; requiring the Department to select an entity to operate the transportation system through a competitive bid process on or before a certain date; requiring the Department to use funds generated from efficiencies resulting from the creation of the transportation system for certain purposes; and generally relating to transportation for Maryland Medical Assistance Program recipients.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(c) and 15–101(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 15–146
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1150 – Delegate Donoghue

AN ACT concerning

Health Occupations – Anatomic Pathology Services – Billing

FOR the purpose of excluding the microscopic examination of certain cells in a certain test performed under certain circumstances from the definition of "cytopathology" as it relates to the billing for anatomic pathology services; and generally relating to anatomic pathology services.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–306
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1151 – Delegate Smigiel

AN ACT concerning

Transportation – Maryland Emergency Medical System Operations Fund – Transport by Privately Owned Helicopter

FOR the purpose of adding reimbursement of operators of private helicopter companies for costs of emergency medical transport under certain circumstances as an authorized use of money in the Maryland Emergency Medical System Operations Fund; requiring the State Emergency Medical Services Board to adopt certain regulations and protocols; making a certain stylistic change; 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 2008 Supplement)

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

House Bill 1152 – Delegates Boteler, Barkley, G. Clagett, DeBoy, Dwyer, Impallaria, Jennings, Lafferty, McComas, Minnick, Myers, Norman,

Robinson, Ross, Serafini, Smigiel, Sophocleus, Sossi, Stocksdale, Stukes, Stull, Valderrama, and Wood

AN ACT concerning

Higher Education – Maryland National Guard Members – Nonresident Tuition Exemption

FOR the purpose of exempting certain members of the National Guard from paying nonresident tuition at public institutions of higher education; and generally relating to exemptions from paying nonresident tuition for military personnel at public institutions of higher education.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.4
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1153 – Delegates Montgomery, Beidle, Benson, Carr, V. Clagett, Frush, Gutierrez, Haddaway, Howard, Jameson, Kirk, Krysiak, Kullen, Lee, Levi, Love, Nathan–Pulliam, Riley, and Robinson

AN ACT concerning

Maryland Commission for Women – Appointment of Members

FOR the purpose of altering the manner by which the members of the Maryland Commission for Women are appointed; requiring the Governor to appoint a certain number of the members of the Commission, subject to the advice and consent of the Senate; requiring the President of the Senate and the Speaker of the House of Delegates each to nominate a certain number of the members of the Commission and to submit those names to the Governor; requiring the Governor to appoint all of the nominees of the President and the Speaker to the Commission; requiring the Governor, the President, and the Speaker to appoint or nominate the members of the Commission in a certain manner; providing that certain current members of the Commission who were appointed by the Governor, the President, and the Speaker and whose terms expire in certain years may be renominated and reappointed to one additional consecutive term of office or replaced by new members in accordance with this Act; and generally relating to the appointment of the members of the Maryland Commission for Women.

BY repealing and reenacting, with amendments,
Article – Human Services

Section 2–403
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 2–404
Annotated Code of Maryland
(2007 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1154 – Delegates Montgomery, Carr, V. Clagett, Doory, Dumais, Frush, Howard, Jameson, Krysiak, Lee, Levy, Love, and Riley

AN ACT concerning

Sexual Offenses – Polygraph Examination of Alleged Victims – Prohibited

FOR the purpose of prohibiting certain persons involved in an investigation or prosecution of certain sexual offenses from requesting or requiring an alleged victim of certain offenses to submit to a polygraph examination under certain circumstances; providing a certain exception for alleged victims who request to take a polygraph examination or who previously made a certain false statement, report, or complaint regarding certain sexual offenses; defining certain terms; and generally relating to certain polygraph examinations of alleged victims of certain sexual offenses under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–101(c) and 2–104(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–106.1
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(e)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1155 – Delegates Montgomery, Ali, Anderson, Barkley, Benson, Carr, Carter, Gutierrez, Haynes, Hecht, Hubbard, Ivey, Kipke, Lee, McDonough, Mizeur, Nathan–Pulliam, Pena–Melnyk, Ramirez, Riley, and Robinson

AN ACT concerning

Prescription Confidentiality Act

FOR the purpose of prohibiting certain patient–identifiable or prescriber–identifiable information from being licensed, transferred, used, or sold for any commercial purpose by certain entities; making certain provisions inapplicable to certain actions under certain circumstances; prohibiting certain provisions from being construed to prohibit certain actions; defining certain terms; and generally relating to the confidentiality of certain information on a prescription.

BY adding to
Article – Health – General
Section 21–220.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1215
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1156 – Delegates Rosenberg, Anderson, Carter, Conaway, Glenn, McHale, Oaks, Robinson, and Stukes

AN ACT concerning

Baltimore City Lead Poisoning Recovery Act of 2009

FOR the purpose of requiring certain manufacturers of lead pigment to reimburse certain persons for certain damages caused by lead–based paint in Baltimore City; establishing the types of damages for which certain manufacturers of lead pigment are required to pay reimbursement; providing that certain manufacturers of lead pigment may be held liable under any legally recognized theory of liability; providing that failure to join a certain manufacturer in a certain action does not constitute failure to join a required party for any

purpose; providing that a person is not required to prove that a manufacturer manufactured the lead pigment contained in certain lead–based paint that caused the damage to establish the liability of the manufacturer; requiring the person to prove by a preponderance of the evidence certain elements in order to recover damages; requiring a trier of fact, if a party satisfies a certain burden of proof against a certain manufacturer to find the manufacturer liable, unless the manufacturer establishes certain facts by a preponderance of the evidence; requiring the trier of fact, if a certain manufacturer is found liable for certain damages, to make a certain finding and enter a certain judgment based on certain factors; providing that a certain manufacturer who is found to be liable is subject to joint and several liability; establishing a duty of a certain attorney to notify and reimburse the State for certain expenses; declaring a certain action under this Act is not exclusive and is independent of and in addition to any right, remedy, or cause of action available to the State or Baltimore City; allowing medical assistance expenditures attributable to lead paint to be proved or disproved by evidence of statistical analysis; creating the Lead Paint Restitution Fund; declaring a certain intent of the General Assembly; defining certain terms; providing for the application of this Act; and generally relating to the liability of manufacturers for damage caused by lead pigment in lead–based paint in residential buildings in Baltimore City.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1801 through 3–1809 to be under the new subtitle "Subtitle 18. Baltimore City Lead Poisoning Recovery Act"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1157 – Delegates Schuler and Bromwell

AN ACT concerning

Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements

FOR the purpose of requiring physicians licensed to practice medicine in the State to notify patients in writing and on each visit of certain information relating to professional liability insurance coverage; requiring certain physicians to maintain certain records and post certain information in their place of practice; requiring the State Board of Physicians to develop certain language for a certain notice requirement; and generally relating to physicians and professional liability insurance.

BY adding to
Article – Health Occupations

Section 14–508
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1158 – Delegates V. Clagett, Ali, Bobo, Cardin, Frush, Hucker, Love, Morhaim, Niemann, and Stein

AN ACT concerning

Maryland Food and Hunger Policy Council – Department of Agriculture

FOR the purpose of creating the Maryland Food and Hunger Policy Council in the Department of Agriculture; providing for the composition and staffing of the Council; providing that a member of the Council may not receive compensation but may be reimbursed for certain expenses; specifying the terms of the initial members of the Council; authorizing the Council to establish certain subcommittees and elect certain officers; authorizing the Council to appoint certain nonvoting affiliate members; specifying the duties of the Council; requiring the Council to adopt certain action plans; requiring the Commission to report to the Governor, the Secretary of Agriculture, and the General Assembly on or before certain dates; defining certain terms; specifying the terms of the initial members of the Council; and generally relating to the Maryland Food and Hunger Policy Council.

BY adding to
Article – Agriculture
Section 10–1701 through 10–1703 to be under the new subtitle "Subtitle 17. Maryland Food and Hunger Policy Council"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1159 – Delegates Feldman, Barkley, Bronrott, Eckardt, Hecht, Lee, Montgomery, and Morhaim

AN ACT concerning

Economic Development – Maryland Stem Cell Research Act – Revisions

FOR the purpose of altering the name of the Stem Cell Research Commission to be the Stem Cell and Biotechnologies Commission; requiring the Commission to establish certain procedures and guidelines regarding research supporting a qualified technology; altering the name of the Maryland Stem Cell Research

Fund to be the Maryland Stem Cell and Biotechnologies Research Fund; altering the purpose of the Fund; altering the approved uses of money in the Fund; requiring that a certain percentage of awards per year be made to certain for–profit companies; requiring that priority be given to certain applicants when awarding funds to applicants in the nonprofit sector; altering the membership of the Maryland Stem Cell Research Commission; altering the composition of the membership of the peer review committee; requiring the peer review committee to consider certain factors when reviewing a proposal; repealing the provision of law prohibiting a member of the peer review committee from residing in the State; and altering the requirements for a certain report; altering the definition of certain terms; defining a certain term; and generally relating to the Maryland Stem Cell Research Act.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–429, 10–431, 10–432, 10–434 through 10–436, and 10–442
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–430 and 10–437 through 10–441
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

House Bill 1160 – Delegates Gutierrez, Ali, Barkley, Carter, V. Clagett, Dumais, Gilchrist, Hecht, Hucker, Ivey, Kirk, Krysiak, Lee, Montgomery, Pena–Melnyk, Robinson, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Alcoholic Beverage Tax – Increase and Distribution of Funds

FOR the purpose of altering State tax rates for alcoholic beverages in Maryland; altering the distribution of the alcoholic beverage tax revenue; requiring the Comptroller to distribute certain portions of the alcoholic beverage tax revenue to certain special funds, to be used only for certain purposes; establishing a special fund to be administered by the Department of Human Resources and to be used only for the purpose of providing certain services for victims of domestic violence, sexual assault, and sexual or physical child abuse; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–301 and 5–105(a), (b), and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 7–206(a), (b), and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–206(d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1161 – Delegate Donoghue

AN ACT concerning

Maryland Anesthesiologist Assistants Act

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure of anesthesiologist assistants and the practice of anesthesia care as anesthesiologist assistants; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees and requiring the Board to distribute certain fees in a certain manner; establishing the Anesthesiologist Assistants Advisory Committee within the Board; providing for the membership, powers, and duties of the Committee; establishing the terms and requirements for certain members of the Committee; providing for certain powers and duties of the Board regarding the Committee and anesthesiologist assistants; providing for the scope of practice for medical acts delegated to an anesthesiologist assistant under certain circumstances; establishing certain medical acts that may be performed or may not be performed by an anesthesiologist assistant; requiring anesthesiologist assistants to be licensed by the Board before practicing anesthesia care as anesthesiologist assistants; requiring anesthesiologist assistants to execute a certain delegation agreement; providing for the content and regulation of certain delegation agreements; requiring that an individual be licensed by the Board before the individual may practice anesthesia care as an anesthesiologist assistant; providing that certain licensing provisions do not apply to certain students and certain employees of the federal government; providing for the qualifications for an anesthesiologist assistant license; providing for the scope of

an anesthesiologist assistant license; providing for the issuance, expiration, renewal, inactivation, and reinstatement of certain licenses; requiring certain licensees to present a certain license or delegation agreement under certain circumstances; 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 licensed anesthesiologist assistants; requiring certain hospitals, related institutions, certain alternative health systems, and certain employers to report certain information regarding anesthesiologist assistants to the Board under certain circumstances; prohibiting certain acts; providing for certain criminal and civil penalties; requiring that an evaluation of the Committee be performed on or before a certain date; specifying the appointment and terms of the initial members of the Committee; defining certain terms; and generally relating to the licensure of anesthesiologist assistants.

BY renumbering
Article – State Government
Section 8–403(b)(3) through (68), respectively
to be Section 8–403(b)(4) through (69), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 14–5D–01 through 14–5D–27 to be under the new subtitle "Subtitle 5D. Anesthesiologist Assistants"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1162 – Delegate Manno (By Request)

AN ACT concerning

Income Tax – Credit for Long–Term Care Premium

FOR the purpose of repealing a certain limitation on a certain credit against the State income tax for certain long–term care premiums paid by an individual; altering the amount a taxpayer may claim as credit; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care premiums.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–718
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1163 – Delegate Manno

AN ACT concerning

Procurement – Capital Procurements – Life Cycle Assessment

FOR the purpose of requiring the Department of General Services, in collaboration with the Department of Budget and Management, to conduct a life cycle assessment for certain capital procurements; defining a certain term; and generally relating to a life cycle assessment for certain capital procurements.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–605
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1164 – Delegates Myers, Beitzel, Boteler, Kelly, Krebs, Miller, Serafini, Stifler, Stull, and Walkup

AN ACT concerning

Department of Health and Mental Hygiene – Transport of a Decedent – Proper Dignity

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations requiring certain persons authorized to transport the remains of a

decedent to show the decedent proper dignity as expected under accepted mortuary standards and practices; and generally relating to the transport of a decedent.

BY adding to
Article – Health – General
Section 5–513
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1165 – Delegates Myers, Beitzel, Boteler, Eckardt, Frank, Kelly, Krebs, Miller, Serafini, Stifler, Stull, Walkup, and Weldon

AN ACT concerning

Motor Vehicle Excise Tax – Vehicle Manufacturer's Rebates – Exemptions

FOR the purpose of exempting certain motor vehicle manufacturer's rebates from the determination of the fair market value of certain motor vehicles for the purpose of imposing of the motor vehicle excise tax; altering a certain definition; defining a certain term; and generally relating to manufacturer's rebates for certain vehicles and the motor vehicle excise tax.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–809
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1166 – Delegate Manno

AN ACT concerning

Higher Education – Loan Assistance Repayment Program – Medical Professionals

FOR the purpose of establishing the Medical Education Loan Assistance Repayment Program; establishing eligibility requirements for the Program; requiring certain applicants to demonstrate certain loans were used for certain purposes; prohibiting the State Department of Education from employing more than a certain number of employees to administer the Program; establishing a certain repayment assistance schedule; requiring the Office of Student Financial

Assistance to adopt certain regulations; providing that certain funds for the Program shall be provided by the Governor in the State budget; requiring the Office to submit a certain report to the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the Medical Education Loan Assistance Repayment Program.

BY adding to
Article – Education
Section 18–2801 through 18–2806 to be under the new subtitle "Subtitle 28. Medical Education Loan Assistance Repayment Program"
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1167 – Delegate Simmons

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, or fleeing or eluding a police officer; prohibiting the Administration from issuing restricted licenses to individuals whose drivers' licenses are suspended under certain circumstances; requiring the Administration to retain certain reports of certain violations relating to leaving the scene of an accident or 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 drivers' 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 Law; 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; and generally relating to the drivers' licenses of children.

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 2008 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–206(b) and 16–404
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 21–905
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1123
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1168 – Delegate Manno

AN ACT concerning

Interior Designers – Licensing

FOR the purpose of establishing requirements for the licensing of interior designers; altering the name of the State Board of Certified Interior Designers to the State Board of Interior Designers; requiring the Board to waive certain requirements for licensing of certain individuals under certain circumstances; providing for

the scope of a license to practice interior design; requiring certain members of the Board to be licensed interior designers; providing for the issuance, renewal, and reinstatement of certain licenses; requiring individuals to be licensed before certain individuals may practice interior design; establishing certain grounds for the denial, suspension, or revocation of certain licenses by the Board; prohibiting certain individuals from engaging in certain actions or making certain representations in the State or using certain titles unless licensed by the Board; providing that certain individuals who were certified by the State Board of Certified Interior Designers as certified interior designers on or before a certain date qualify for a certain license under certain circumstances; defining certain terms; altering a certain definition; repealing certain definitions; and generally relating to the licensing of interior designers in the State.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 8–101 through 8–103; 8–201, 8–202, 8–206, 8–206.1, and 8–207 to be under the amended subtitle "Subtitle 2. Sate Board of Interior Designers"; 8–301 through 8–310 to be under the amended subtitle "Subtitle 3. Licensing"; 8–401 through 8–404, 8–501, 8–502, and 8–601
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 8–102 and 8–501
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(32)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1169 – Delegates Bronrott, Ali, Barkley, Barve, Beidle, Bobo, Carr, V. Clagett, Dumais, Feldman, Frush, Glenn, Hecht, Holmes, Hucker, Lafferty, Montgomery, Morhaim, Niemann, Shewell, Stein, and F. Turner

AN ACT concerning

All–Terrain Vehicles – Protective Equipment

FOR the purpose of prohibiting an individual from operating or riding on an all–terrain vehicle unless the individual is wearing protective headgear and an eye protective device that meet 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 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1170 – Delegate Simmons

AN ACT concerning

Election Law – Campaign Contributions by Persons Engaged in Gaming Activity in the State

FOR the purpose of providing that certain persons that make campaign contributions to certain campaign finance entities may not receive a license or other permit to conduct certain gaming activities in the State for a certain period of time after making the contribution; requiring that the license or permit of certain persons that are authorized to conduct certain gaming activities in the State be suspended for a certain period of time if the person makes a campaign contribution to certain campaign finance entities; defining certain terms; attributing the campaign contributions of certain persons to certain other persons for certain purposes; and generally relating to campaign contributions by persons engaged in or seeking a license or other permit to conduct gaming activity in the State.

BY adding to
Article – Election Law
Section 13–237
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1171 – Delegates Bartlett, Boteler, Cardin, Carr, Carter, Conaway, George, Haddaway, Ivey, Kullen, Murphy, O'Donnell, Olszewski, Rice, Walker, and Walkup

AN ACT concerning

Alternative Energy Tax Incentive Act of 2009

FOR the purpose of exempting from the sales and use tax the sale of certain wind energy equipment to be used for certain residential purposes; clarifying that certain solar energy property that uses solar thermal electric energy is exempt from the State and local property tax; exempting from the State and local property tax certain wind energy equipment to be used for certain residential purposes; exempting from the State and local property tax certain methane digesters; defining certain terms; and generally relating to certain tax benefits for certain alternative energy.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1172 – Delegates Myers, Beitzel, Boteler, Eckardt, Frank, Kelly, Krebs, Miller, Serafini, Stifler, Stull, and Walkup

AN ACT concerning

Postmortem Examiners Commission – Regulations – Transportation of Human Remains

FOR the purpose of requiring the Postmortem Examiners Commission to adopt regulations relating to death that permit the deputy medical examiner or forensic investigator to consider expediency of response when arranging for certain transportation services; and generally relating to regulations related to the transportation of human remains.

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

Section 5–307
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1173 – Delegates Myers, Boteler, Frank, Kelly, Krebs, Miller, Serafini, Stull, and Weldon

AN ACT concerning

Correctional Services – Division of Correction Ambulance Service

FOR the purpose of establishing an ambulance service within the Division of Correction; requiring a correctional facility to use the ambulance service for an emergency requiring transportation of an inmate by ambulance; providing that the costs of the ambulance service be paid from funds appropriated to the Division in the State budget; requiring the Commissioner of Correction to determine the personnel and equipment needs, service area, and maintenance and storage needs of the ambulance service; requiring the Commissioner to adopt regulations to carry out the requirements of this Act; defining certain terms; and generally relating to an ambulance service in the Division of Correction.

BY adding to
Article – Correctional Services
Section 3–1001 through 3–1004 to be under the new subtitle "Subtitle 10. Division of Correction Ambulance Service"
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 13–515(a)(2)
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1174 – Delegates Myers, Beitzel, Boteler, Kelly, Krebs, Miller, Serafini, Stifler, and Stull

AN ACT concerning

Higher Education – Private Career Schools – Financial Guarantee Requirements

FOR the purpose of requiring certain private career schools to maintain certain financial guarantees under certain circumstances; requiring the financial guarantees to be in certain forms and in certain amounts; and generally relating to financial guarantee requirements at private career schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–203
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1175 – Delegates Myers, Beitzel, Boteler, Eckardt, Kelly, Krebs, Miller, Serafini, Stull, Walkup, and Weldon

AN ACT concerning

Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of Licenses and License Numbers

FOR the purpose of prohibiting a county or municipal corporation from requiring a certain licensed electrician, gas fitter, plumber, or heating, ventilation, air–conditioning, and refrigeration (HVAC) contractor to display a certain license on certain vehicles used for providing certain services; requiring a master electrician to display a certain license number on certain vehicles used for providing certain services; and generally relating to the display of licenses and license numbers on vehicles.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6–301 and 12–311
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–401
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1176 – Delegates Rice and Hixson

AN ACT concerning

Transportation – Public–Private Partnerships – Notice to the General Assembly

FOR the purpose of requiring the Department of Transportation to provide certain information to certain committees of the General Assembly and the Department of Legislative Services by a certain date prior to issuing a public notice of solicitation related to certain public–private partnerships; requiring the Department to provide certain information to certain committees of the General Assembly and the Department of Legislative Services by a certain date prior to entering into certain public–private partnerships; stating the intent of the General Assembly regarding the application of this Act; defining certain terms; and generally relating to providing notice to the General Assembly of public–private partnerships involving the Department of Transportation.

BY adding to
Article – Transportation
Section 3.5–101 and 3.5–201 to be under the new title "Title 3.5. Public–Private Partnerships"
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1177 – Delegates Bartlett, Barve, Carr, G. Clagett, Eckardt, Haddaway, McComas, Morhaim, and Shank

AN ACT concerning

Maryland State Parks – Pet Access

FOR the purpose of requiring the Department of Natural Resources to adopt certain rules and regulations mandating access to some portion of State parks by a person accompanied by a pet; and generally relating to pet access to State parks.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–209(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Natural Resources
Section 5–209(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1178 – Delegates Kullen, Bohanan, and Weldon

AN ACT concerning

State Government – State Song For Children – "The Land Mary–land"

FOR the purpose of designating "The Land Mary–land" as the State song for children.

BY adding to
Article – State Government
Section 13–307.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1179 – Delegates Cardin, Hixson, Olszewski, and Ross

AN ACT concerning

Election Law – Early Voting

FOR the purpose of establishing a process to allow a voter in the State to vote in primary or general elections at early voting centers, instead of in the voter's assigned precinct on election day; requiring each county to have a specified number of early voting centers, based on the number of registered voters in the county; requiring the State Board of Elections, in collaboration with the local board of elections in a county, to designate the early voting polling centers in that county; requiring early voting centers to be open for voting during a certain period and during certain hours; requiring each early voting center to meet certain requirements; requiring the State Board and the local boards to take certain steps to inform voters about early voting and the location of early voting centers; making certain provisions of law applicable to early voting; requiring the State Board to adopt regulations and guidelines for the conduct of early voting; requiring local boards to pay an election judge for each early voting day that the election judge actually serves; authorizing a voter to cast a provisional ballot at an early voting center; defining a certain term; making conforming changes; and generally relating to early voting.

BY repealing
Article – Election Law
Section 1–101(ii)
Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY renumbering
Article – Election Law
Section 1–101(x) through 1–101(hh), respectively
to be Section 1–101(y) through (ii), respectively
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY adding to
Article – Election Law
Section 1–101(x) and 10–301.1
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–404, 10–205, and 10–310(a)
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 10–101 and 10–203
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1180 – Delegates Bronrott, Ali, Bobo, Braveboy, Carr, Frush, Hecht, Hucker, Ivey, Lee, McComas, Mizeur, Montgomery, Morhaim, Niemann, Pena–Melnyk, Shewell, and Tarrant

AN ACT concerning

Alcoholic Beverages – Enhanced Beer

FOR the purpose of specifying that enhanced beer means alcoholic beverages with certain amounts of overall alcohol content obtained from flavors and other added nonbeverage ingredients containing alcohol; specifying that, for purposes of sales, enhanced beer is liquor that may be sold at retail only by a certain license; specifying that enhanced beer is beer for purposes of the alcoholic beverages tax; altering certain definitions; defining a certain term; 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 1–102(a)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 1–102.1
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–101(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 5–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1181 – Delegate Simmons

AN ACT concerning

Domestic Violence – Expungement of Records

FOR the purpose of requiring a court, after a certain hearing, to order the expungement of certain court records under certain circumstances; authorizing a respondent in a certain proceeding for relief from abuse to file a petition to expunge court records relating to the proceeding under certain circumstances; requiring the petition to be filed in a certain court; requiring the petition to be served on certain persons; requiring the court to hold a hearing if an objection is filed within a certain time; requiring the court to order the expungement of all court records about the proceeding under certain circumstances; providing a certain exception; requiring certain custodians to notify the court and the person seeking expungement of compliance with the order; defining certain terms; and generally relating to expungement of certain court records.

BY adding to
Article – Family Law
Section 4–512
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1182 – Delegate Hixson

AN ACT concerning

Communications Services – Taxation and Regulation

FOR the purpose of repealing the public service company franchise tax as to persons engaged in a telephone business in the State; imposing the State sales and use tax on the sale of certain communications services; providing that the sales and use tax does not apply to certain charges related to communications services; repealing the authority of certain local governments to enter into or renew certain agreements that include a cable franchise fee after a certain date; providing for the collection and distribution of certain fees owed to a local government under a cable franchise agreement entered into on or before a certain date; authorizing the Public Service Commission to enter into certain agreements on or after a certain date; providing for the application of this Act; and generally relating to the taxation and regulation of communications services.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 8–401, 8–402, and 8–409
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Article – Tax – General
Section 8–406(c) and 8–407
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General
Section 11–101(c–1), (c–2), (d–1), (d–2), (d–3), and (f–1) and 11–231
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(m)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 10 of the Acts of the General Assembly of 2008)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 23–101 and 23–102 to be under the new title "Title 23. Cable Franchise Agreements"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 8–701 to be under the new subtitle "Subtitle 7. Cable Franchise Agreements"
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1183 – Delegate Simmons

AN ACT concerning

Juvenile Law – Hearings

FOR the purpose of requiring the juvenile court, on petition of the State's Attorney, to exclude the general public from a hearing or other proceeding in a case in which the victim of an alleged delinquent act is a child, except under certain circumstances; and generally relating to hearings in the juvenile court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–13
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1184 – Washington County Delegation

AN ACT concerning

Washington County – Property Tax Deferral – Seniors

FOR the purpose of authorizing the governing body of Washington County to provide, by law, a certain payment deferral of the county property tax for certain residential real property owned by individuals who are at least 65 years of age; requiring the governing body of Washington County under certain circumstances to specify the duration and certain amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Washington County under certain circumstances to provide certain information in a taxpayer's annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; requiring the governing body of Washington County to provide certain notification under certain circumstances; providing for the application of this Act; and generally relating to property tax deferrals in Washington County for certain residential real property.

BY adding to
Article – Tax – Property
Section 10–204.5
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1185 – Harford County Delegation

AN ACT concerning

Harford County – Infrastructure and Facilities Capital Project Authority

FOR the purpose of authorizing Harford County to establish by local law an Infrastructure and Facilities Capital Project Authority; providing for the purposes of the Authority; providing for the membership of the Authority; authorizing the Authority to appoint officers and hire certain employees and delegate certain responsibilities; requiring the Authority to hold a certain number of regular meetings; authorizing the Authority, under certain circumstances, to hold special meetings; requiring the Authority to hold a certain public hearing; requiring the Authority to create certain budgets; requiring the Authority to have certain audits prepared and available to certain interested parties; stating the intent of the county; granting the Authority certain powers under certain circumstances; authorizing the county, under

certain circumstances, to provide the Authority with certain funds; authorizing and providing for the issuance and repayment of certain bonds of the Authority; authorizing the Authority to enter into a payment in lieu of tax under certain circumstances; providing for the reversion of Authority property to Harford County under certain circumstances; providing for the construction of this Act; prohibiting the earnings of the Authority to inure to the benefit of any private person; and generally relating to the authority of Harford County to create an Infrastructure and Facilities Capital Project Authority.

BY adding to
The Public Local Laws of Harford County
Section 9–301 through 9–316 to be under the new article "Article XXXVIII. Infrastructure and Facilities Capital Project Authority"
Article 13 – Public Local Laws of Maryland
(1986 Edition and August 2008 Supplement, as amended)

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

House Bill 1186 – Delegates Montgomery, Manno, Hucker, Anderson, Barkley, Barnes, Benson, Bronrott, Carr, Carter, V. Clagett, Conaway, Doory, Frush, Gutierrez, Hixson, Howard, Ivey, Lafferty, McIntosh, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Reznik, Riley, Robinson, Rosenberg, Taylor, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Maryland Health Security Act of 2009

FOR the purpose of establishing the Maryland Health System; specifying the purposes of the Health System; stating a certain intention of the General Assembly; providing that certain residents of the State are members of the Health System and are eligible to receive certain benefits; prohibiting certain health care providers from using preexisting medical conditions to determine the eligibility of a member to receive benefits; prohibiting certain health care providers from refusing to provide services to a member on the basis of certain factors; requiring the Maryland Health System Policy Board to establish a certain package of benefits including certain services to be provided by the Health System; providing that certain coverage may not be subject to coinsurance, deductibles, or co–payments; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate the services covered by the Health System; authorizing a member to choose any participating health care provider; requiring the Health System to make certain reimbursements to certain members; authorizing a participating health care provider to charge a member directly for certain services; prohibiting a participating health care provider from imposing certain charges; requiring the Health System to institute and use an electronic claim and

payment system; requiring a participating health care provider to use the electronic claim and payment system to file claims; providing for certain budgets and payments for certain health care providers; establishing the Maryland Health System Policy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Administrative Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Health Needs, Planning, and Improvement Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health Quality Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Patient Advocacy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Patient Advocacy Board; establishing the Maryland Health System Trust Fund; specifying the purposes, contents, and uses of the Fund; establishing the Maryland Health System Fund Board; specifying the membership of the Fund Board and the terms, duties, and powers of the members of the Fund Board; establishing the Maryland Health System Payment Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Office of the Health Inspector General; specifying the duties of the Health Inspector General; specifying the initial terms of the appointed members of the Maryland Health System Policy Board; requiring the Department of Health and Mental Hygiene to apply to the Secretary of Health and Human Services for certain waivers from certain federal requirements on or before a certain date; requiring the Maryland Health System Policy Board to seek certain waivers on or before a certain date; requiring the Maryland Health System Policy Board to submit a certain report to the Governor and the General Assembly on or before a certain date; providing that negotiated health insurance contributions made by employers on behalf of employees who are working in the State temporarily but who reside outside the State may not be abridged by this Act; defining certain terms; providing for the effective dates of this Act; and generally relating to the Maryland Health System.

BY adding to
Article – Health – General
Section 25–101 through 25–1001 to be under the new title "Title 25. Maryland Health System"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1187 – Delegate Manno

AN ACT concerning

Environment – Dishwashing Detergent Containing Phosphorus – Penalties

FOR the purpose of altering the penalty for selling, manufacturing, or distributing certain household dishwashing detergents after a certain date; and generally relating to dishwashing detergents containing phosphorus.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1503
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1505
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1188 – Delegates Gilchrist, Hixson, Ivey, and Kaiser

AN ACT concerning

Tax Incentives and Benefits – Credits and Subtraction Modifications

FOR the purpose of repealing certain credits allowed against certain State taxes; altering certain tax benefits provided under law by allowing income tax subtraction modifications in certain amounts under certain circumstances for purposes of determining Maryland taxable income instead of allowing credits against income tax liability; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to tax incentives and benefits under Maryland taxes.

BY repealing
Article – Education
Section 21–309
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing
Article – Insurance
Section 6–105, 6–105.1, and 6–114 through 6–120
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing
Article – Tax – General
Section 8–214 through 8–221, 8–406(b), 8–410 through 8–415, 10–205(b), (i), and (j), 10–306(e) and (f), 10–704.1, 10–704.3, 10–704.7, 10–704.9, 10–713, and 10–719
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY renumbering
Article – Tax – General
Section 10–205(c) through (h), 10–702, 10–704.4, 10–704.6, 10–704.8, 10–704.10, 10–707, 10–710, 10–711, 10–714, 10–715, 10–717, 10–718, 10–720 through 10–724, 10–726, and 10–727, respectively
to be Section 10–205(b) through (g), 10–226, 10–229, 10–230, 10–231, 10–232, 10–233, 10–234, 10–235, 10–236, 10–237, 10–238, 10–239, 10–240 through 10–244, 10–245, and 10–246, respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–707(a)(2) and (b)(3); 6–301(b) and (c)(1), 6–302, 6–303(b) and (c), 6–304 through 6–309 to be under the amended subtitle "Subtitle 3. Job Creation Tax Benefits"; and 6–401(b), (e), (f), and (h), 6–402 through 6–404, and 6–407 to be under the amended subtitle "Subtitle 4. One Maryland Economic Development Tax Benefits"
Annotated Code of Maryland
(2008 Volume)

BY repealing
Article – Economic Development
Section 6–405 and 6–406
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 21–501(b)(5) and (c) through (e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–901(b) and (c) to be under the amended subtitle "Subtitle 9. Tax Benefits for Employer–Provided Commuter Benefits"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing
Article – Environment
Section 2–901(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–401(c), 6–404, and 6–405(c)(2) and (3) and (d)
Annotated Code of Maryland
(2006 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–702(c) and (f)(3)(ii), 11–704, and 11–705(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Tax – General
Section 10–208(a–1), 10–227, 10–228, and 10–308(a–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–218(b), 10–306(b), 10–809, and 10–812
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–226(a)(4)(ii) and (7)(ii) and (b) through (e), 10–229 through 10–239, 10–240(b), (c), and (e), 10–241(b), (f), and (h), 10–242(a)(7) and (b) through (k), 10–243, 10–244, 10–245(b), (f), and (g), and 10–246 to be under the new part "Part V. Additional Adjustments to Determine Maryland Adjusted Gross Income"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Section 4 of this Act)

BY repealing
Article – Tax – General
Section 10–226(f) and (g), 10–240(d), 10–241(c) through (e) and (g), and 10–245(c) through (e)
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)
(As enacted by Section 4 of this Act)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–230(a)(3), (b)(2), (c)(3), (d)(5), and (i) through (n)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY repealing
Article – Tax – Property
Section 9–230(e) through (h)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1189 – Delegates Waldstreicher and Vallario

AN ACT concerning

Criminal Procedure – Violation of Crime Victim Rights – Sentencing

FOR the purpose of requiring a trial or juvenile court, on the allegation by a certain crime victim or the victim's representative that a certain right of the victim or victim's representative was violated, to hold a hearing to determine if the right was violated; requiring the court, if a certain finding is made, to allow the victim or the victim's representative to address the court or submit a certain impact statement or recommendation; requiring the court to consider certain information presented by the State, defendant, child respondent, victim, and victim's representative; authorizing a court to reaffirm, modify, or vacate a prior sentence or disposition of a certain defendant or child respondent under certain circumstances; and generally relating to the rights of crime victims.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–403
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1190 – Delegates Gutierrez and Ramirez

AN ACT concerning

Washington Metropolitan Area Transit Authority Compact – Governance and Finance

FOR the purpose of amending the Washington Metropolitan Area Transit Authority Compact in order to comply with certain federal requirements; increasing the number of directors on the Washington Metropolitan Area Transit Authority Board to include directors representing the federal government, subject to a certain requirement; providing for the appointment of federal directors and alternates; authorizing the federal directors to participate in certain Board activities only in certain fiscal years and subject to a certain limitation; establishing an Office of the Inspector General within the Washington Metropolitan Area Transit Authority; providing for the duties and functions of the Office; providing that the Director of the Office is the Inspector General; requiring that certain payments made by signatories to the Washington Metropolitan Area Transit Authority to match certain federal funds be made from certain dedicated funding sources; clarifying language; making this Act subject to a certain contingency; and generally relating to the finance and governance of the Washington Metropolitan Area Transit Authority.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 10–204 Title III Article III Sections 5 and 9 and Article VIII Section 26
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1191 – Delegates Conway, Bates, Branch, Eckardt, Griffith, Gutierrez, Guzzone, and Krebs

EMERGENCY BILL

AN ACT concerning

Local Government – Deposits of Unexpended or Surplus Money

FOR the purpose of altering the conditions under which certain local governments may deposit certain unexpended or surplus money with certain federally insured banks or savings and loan associations; making this Act an emergency measure; and generally relating to local governments and deposits of unexpended or surplus money.

BY repealing and reenacting, with amendments,
Article 95 – Treasurer
Section 22–O
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

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

House Bill 1192 – Delegates Conway, Aumann, Bohanan, Branch, G. Clagett, DeBoy, Gaines, Griffith, Haynes, James, Jones, Levy, Malone, Mathias, McIntosh, O'Donnell, Proctor, Robinson, Rudolph, Shank, and Wood

AN ACT concerning

State Funding Accountability Act

FOR the purpose of requiring certain grantees that receive certain State aid to submit a report to the Department of Budget and Management by a certain date; requiring the report to contain certain information and be provided in a certain form; requiring the Department to develop and operate a certain searchable website providing certain information; authorizing the Office of Legislative Audits to conduct certain audits of certain grantees that receive at least a certain appropriation or grant in the operating or capital budget or from the action of a unit of State government; requiring the Office of Legislative Audits to identify for a certain audit a certain percentage of grantees each year; defining certain terms; and generally providing for the reporting and auditing of certain grantees receiving certain State aid.

BY adding to
Article – State Finance and Procurement
Section 7–406
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1220(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1193 – Delegates Hecht, Harrison, and Krysiak

AN ACT concerning

Maryland Not–For–Profit Development Center Program – Qualifying Not–For–Profit Entity Assistance

FOR the purpose of adding and amending certain defined terms under the Maryland Not–For–Profit Development Center Program; requiring the Program to provide certain support and assistance to qualifying not–for–profit entities; altering the

requirements for a certain designee of the Program; and generally relating to the Maryland Not–For–Profit Development Center Program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–1201, 5–1202, 5–1203, and 5–1205
Annotated Code of Maryland
(2008 Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1194 – Delegates Benson, Weldon, Bromwell, and Costa

AN ACT concerning

Open Meetings Act – Expansion of Definition of Public Body

FOR the purpose of expanding the definition of "public body" under the Open Meetings Act to include certain entities appointed by certain public bodies or certain officials of the public bodies if the membership of the entity has a certain composition; and generally relating to the definition of public body under the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1195 – Delegates Montgomery, Bartlett, Bobo, Carr, G. Clagett, Hecht, Hucker, Manno, Rice, Robinson, and Stull

EMERGENCY BILL

AN ACT concerning

Prescription Drugs – Wholesale Drug Distribution – Surety Bond Requirements

FOR the purpose of altering surety bond requirements for an applicant for a wholesale distributor permit; specifying the entity to which the surety bond is payable; specifying the amount of the surety bond, depending on certain receipts of the applicant; making this Act an emergency measure; and generally relating to surety bond requirements for applicants for wholesale drug distributor permits.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6C–05(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1196 – Delegates Ramirez, Barkley, Barnes, Frick, Haynes, Healey, Kramer, McComas, and Valderrama

AN ACT concerning

Domestic Violence – Protective Orders – Notification of Service

FOR the purpose of requiring a court clerk or District Court commissioner to notify a certain petitioner of the service of an interim protective order, a temporary protective order, or a final protective order on a respondent if the petitioner has filed with the court or the commissioner's office a notification request form that includes the petitioner's telephone number or electronic mail address; requiring the Administrative Office of the Courts to develop a certain notification request form and procedures for notification; specifying a law enforcement officer shall make a return of service of a certain protective order within a certain period of time of the service; and generally relating to notification of service of protective orders.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–504 and 4–504.1(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–505(b) and 4–506(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1197 – Delegate Carr

AN ACT concerning

Vehicle Laws – Bicycles – Rules of the Road

FOR the purpose of creating an exception for a bicycle operator to the prohibition against passing another vehicle to the right by driving off the roadway; establishing that at an intersection, a person operating a bicycle is subject to certain traffic control signals, but that at all other places has the rights and is subject to the restrictions applicable to pedestrians under specified provisions of law; authorizing local jurisdictions to regulate the operation of bicycles on sidewalks; authorizing, under certain circumstances, a person who is operating a bicycle or motor scooter to use the roadway even if a shoulder is present; altering the defined term "bicycle"; altering the defined term "shoulder" to reflect certain authorized uses; and generally relating to the rules of the road for operating bicycles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104, 21–101(v), 21–304, 21–501.1, and 21–1205.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–506
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1198 – Delegate Reznik

AN ACT concerning

Physicians – Outpatient Surgical Services – Hospital Privileges

FOR the purpose of prohibiting certain freestanding ambulatory care facilities from employing physicians to provide certain surgical services if the physicians do not have certain privileges at certain accredited hospitals; authorizing the State Board of Physicians to impose certain penalties if certain licensees provide certain outpatient surgical services and do not have certain privileges at certain accredited hospitals; altering certain terms; defining a certain term; and generally relating to physicians, outpatient surgical services, and hospital privileges.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–3B–01(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–3B–01(l)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–3B–03(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–404(a)(39) and (40)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health Occupations
Section 14–404(a)(41)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1199 – Delegate Carr

AN ACT concerning

Unemployment Insurance – Benefits – Backdated Claims

FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation to backdate an initial claim for unemployment insurance benefits for certain claimants for a certain period under certain circumstances; requiring the Secretary to adopt certain regulations; defining a certain term; and generally relating to payment of unemployment insurance benefits.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–101(v) and 8–805(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment
Section 8–805(d)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1200 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Ramirez

AN ACT concerning

Crimes – Possession of Loaded Firearm – Enhanced Penalties

FOR the purpose of prohibiting a person from wearing, carrying, or transporting a handgun loaded with ammunition on or about the person or in a vehicle under certain circumstances; prohibiting a person from possessing, owning, or carrying a firearm loaded with ammunition if the person has been convicted of certain crimes; prohibiting a person from possessing a regulated firearm loaded with ammunition under certain circumstances or if the person is under a certain age; establishing certain penalties, including mandatory minimum terms of imprisonment, for violations of this Act; prohibiting a court from suspending any part of a sentence or ordering probation before judgment for certain crimes; providing that each violation of a certain crime is a separate crime; and generally relating to enhanced penalties for possession of a loaded firearm.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–203(a)(1) and (c) and 5–622
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1201 – Delegates Ramirez, Ali, Barnes, Kaiser, Lafferty, Levy, Manno, Robinson, Rosenberg, Stein, Taylor, Valderrama, and Vaughn

AN ACT concerning

Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate

FOR the purpose of prohibiting a person from affixing, erecting, or placing a noose or swastika on a certain building or real property, without the express permission of the owner of the building or property or the owner's agent, with the intent to threaten or intimidate any person or group of persons; establishing that a certain penalty applies to a violation of this Act; and generally relating to the use of a noose or swastika to threaten or intimidate a person or group of persons.

BY adding to
Article – Criminal Law
Section 10–305.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–306
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1202 – Delegate Rosenberg

AN ACT concerning

Courts – Privilege – Disclosure – News or Information Sources

FOR the purpose of extending the privilege against compelled disclosure of news or information sources to certain persons; protecting certain persons from disclosing the source of news or information; protecting certain persons from disclosing news or information under certain conditions; repealing a certain definition; defining a certain term; and generally relating to altering the scope of a certain privilege against compelled disclosure of news or information sources.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–112
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1203 – Delegate Rosenberg

AN ACT concerning

Procurement – Intergovernmental Cooperative Purchasing Agreements – Contracts

FOR the purpose of requiring the Department of General Services, before it enters into a certain intergovernmental cooperative purchasing agreement, to advertise a certain solicitation for a certain period on a certain website and to procure certain products or services for certain local governments; and generally relating to intergovernmental cooperative purchasing agreements.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13–110
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1204 – Delegates Nathan–Pulliam, Benson, Bromwell, Hubbard, Oaks, Pena–Melnyk, Riley, and Tarrant

AN ACT concerning

Hospitals – Financial Assistance Policy and Financial Assistance Application – Notices

FOR the purpose of requiring each hospital to provide every patient with a written notice that contains certain information about the hospital's financial assistance policy and the availability of a certain financial assistance application; requiring the notice to be made available in certain languages; specifying certain locations in which a certain notice must be posted in a hospital; and generally relating to notices about hospital financial assistance policies and financial assistance applications.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–214.1(a), (c), and (d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–214.1(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing
Article – Health – General
Section 19–214.1(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Health – General
Section 19–214.1(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1205 – Delegates Barnes and Manno

AN ACT concerning

Vehicle Laws – Required Security – Minimum Amounts

FOR the purpose of increasing the minimum amounts of required security for the payment of certain claims for bodily injury or death arising from a motor vehicle accident; and generally relating to the minimum required security for motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–103
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1206 – Delegates Donoghue and Robinson

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist

FOR the purpose of altering the membership of the Correctional Officers' Retirement System; clarifying that certain members of the Correctional Officers' Retirement System are eligible to receive a normal service retirement allowance or a deferred vested retirement allowance; 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 2008 Supplement)

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

House Bill 1207 – Delegate Haynes

AN ACT concerning

Income Tax Credit – Flexible Workweek

FOR the purpose of allowing certain business entities a credit against the State income tax for the cost of providing a flexible workweek to the employees of the business entity; requiring that a certain number of the full–time employees of a business entity must work a flexible workweek in order for the business entity to claim the credit; providing that the credit may not exceed a certain amount; providing that certain organizations exempt from taxation may receive the credit as a refund under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for offering a flexible workweek.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1208 – Delegates Smigiel, Ali, Bartlett, Dumais, Frank, Hecht, Kaiser, Lee, Montgomery, Schuler, and Vallario

AN ACT concerning

Torts – Pets – Injury or Death

FOR the purpose of altering the measure of compensatory damages for tortious death of, or injury to, a pet that may be awarded to an owner of the pet; making

clarifying changes; providing for the application of this Act; and generally relating to compensatory damages for tortious death of, or injury to, a pet.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–110
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1209 – Delegates Howard and Cardin

AN ACT concerning

Tax Compliance and Administration Act of 2009

FOR the purpose of altering a certain exception to a certain addition modification required under the income tax relating to certain payments to certain related persons under certain circumstances; requiring certain transferors of certain property to pay certain amounts before recording certain documents under certain circumstances; repealing a certain credit relating to collecting and paying the sales and use tax; exempting from the sales and use tax the sale of certain cigarettes; altering the tobacco tax rate for cigarettes; requiring certain employers to file a sales and use tax return under certain circumstances; requiring certain vendors to file certain declarations of estimated sales and use tax and to pay certain estimated tax with certain declarations; requiring the Comptroller to assess certain interest and penalties for failure to pay estimated sales and use tax when due and for certain underestimation of sales and use tax; altering a certain threshold for purposes of the authority of certain tax collectors to require payment of certain unpaid tax liabilities in immediately available funds; including certain types of payments in a certain offset program; and generally relating to tax compliance and administration.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–306.1(a) and (c)(3), 10–912(c) and (d), 11–221(a), 11–601(b), 12–105(a), 13–104(a), and 13–930(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–306.1(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing
Article – Tax – General
Section 11–105
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 11–501(c), 11–502(a–1), 11–601(b–1), 13–602.1, and 13–702.1
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1210 – Delegates Carr, Ali, Frush, Haynes, Hecht, Holmes, Hucker, Ivey, Lee, Montgomery, and Schuler

AN ACT concerning

Chesapeake Bay Restoration Consumer Retail Choice Act of 2009

FOR the purpose of requiring a store to charge and collect a certain fee for each carryout bag it provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; providing that the sales and use tax does not apply to a certain amount of money retained by a store under certain circumstances; requiring the operator of a store to remit a certain amount of money to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; defining certain terms; and generally relating to carryout bags and Chesapeake Bay restoration.

BY adding to
Article – Business Regulation
Section 19–103
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–02(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1211 – Delegates Eckardt, Boteler, Elliott, Elmore, Frank, Haddaway, McComas, McConkey, Myers, O'Donnell, Schuh, Serafini, Shank, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Election Law – Delay in Replacement of Voting System

FOR the purpose of altering the date for the replacement of the State's direct–recording electronic (DRE) touchscreen voting system with a certain voter–verified paper record voting system; requiring the State to continue to use the touchscreen voting system for certain elections until the later of the date when the State concludes payment for the touchscreen voting system or a certain other date; altering certain provisions relating to the certification of voting systems; providing for the application of certain provisions; repealing provisions of uncodified law relating to the application of a certain prior Act; and generally relating to the replacement of the State's direct–recording electronic (DRE) touchscreen voting system.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–102
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing
Chapter 547 of the Acts of the General Assembly of 2007
Section 2

BY repealing
Chapter 548 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 1212 – Delegates Hixson, Barnes, Bromwell, George, Gilchrist, Hecht, and F. Turner

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 to be funded 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; 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 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–28(d) and (e)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1213 – Delegate Mizeur

AN ACT concerning

The 21st Century Health Eligibility Systems Act

FOR the purpose of requiring the Department of Health and Mental Hygiene and the Department of Human Resources, subject to certain limitations, to update certain computer systems used to determine eligibility and process claims for the Maryland Medical Assistance Program on or before a certain date; requiring the Department of Health and Mental Hygiene, in consultation with the Department of Human Resources, to report to the General Assembly on or before certain dates; and generally relating to the computer eligibility system for the Maryland Medical Assistance Program.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1214 – Delegates Hixson, Cardin, and Frick

AN ACT concerning

Motor Fuel Tax – Rate

FOR the purpose of altering the motor fuel tax rate; and generally relating to the motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1215 – Delegates Hixson, Hucker, Kaiser, Mizeur, Montgomery, Niemann, Rice, and Ross

AN ACT concerning

Inheritance Tax – Exemption – 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 under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to 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.

BY adding to
Article – Tax – General
Section 7–203(l)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1216 – Delegates Hixson and Beitzel

AN ACT concerning

Estates and Trusts – Register of Wills – Salary

FOR the purpose of increasing the maximum annual salary that the Board of Public Works may set for a register of wills; providing that this Act does not apply to the salary or compensation of an incumbent register of wills during the current term of office; and generally relating to the salary for the register of wills.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–205
Annotated Code of Maryland
(2001 Replacement Volume and 2008 Supplement)

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

House Bill 1217 – Delegates Kramer, Ali, Barkley, Bronrott, Feldman, Frush, Heller, Holmes, Kaiser, Lee, Manno, Niemann, Reznik, Ross, Shank, and Shewell

AN ACT concerning

Vehicle Laws – Mandatory Use of Ignition Interlock System

FOR the purpose of altering the Motor Vehicle Administration's authority to establish an Ignition Interlock System Program to require the Administration to establish the Program; requiring rather than authorizing the Administration to establish a protocol for the Program by certain regulations; requiring certain individuals who have committed certain alcohol–related driving offenses to participate in the Program; requiring the Administration to require an individual granted probation for certain alcohol–related driving offenses to participate in the Program for a certain minimum amounts of time; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring individuals who are in the Program to be monitored by the Administration and to pay a certain fee under certain circumstances; requiring certain service providers to demonstrate a certain ability under certain circumstances; altering the authority of the Administration to require certain individuals to participate in the Program; and generally relating to participation in the Ignition Interlock System Program by an individual who is granted probation for certain alcohol–related driving offenses.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–404.1(b) and (f)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1218 – Washington County Delegation

AN ACT concerning

Washington County – Deer Hunting – Dogs

FOR the purpose of prohibiting a person from killing a dog found pursuing a deer in Washington County; and generally relating to deer hunting in Washington County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–416(b)
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1219 – Washington County Delegation

AN ACT concerning

Washington County – Sheriff – Salary

FOR the purpose of requiring the Board of County Commissioners to set the salary of the Sheriff of Washington County beginning on a certain date, subject to certain limitations and within a certain period of time of receiving certain recommendations; altering the salary of the Sheriff of Washington County; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Washington County; and generally relating to the Sheriff of Washington County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–205
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–206
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(w)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1220 – Washington County Delegation

AN ACT concerning

Washington County – Regulation of Electricians and the Provision of Electrical Services

FOR the purpose of requiring a Master Electrician to be responsible for certain work performed under the authority granted by the Master Electrician's license;

repealing the requirement that persons working under the authority of a Master Electrician's license must be employees of a Master Electrician; repealing a certain prohibition on the assignment or transfer of certain licenses; requiring the names of certain persons to be included on certain licenses; and generally relating to the regulation of electricians in Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 8–111 and 8–113(a)
Article 22 – Public Local Laws of Maryland
(2007 Edition, as amended)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1221 – Washington County Delegation

AN ACT concerning

Washington County – Roads and Transportation

FOR the purpose of providing that, under certain circumstances, Washington County may cause a road to be surveyed and a description and plat made of the road and recorded among the land records of the county; requiring that, under certain circumstances, the description of a road to be made by reference to the original description when the road was acquired; requiring the description and plat to be prepared under the supervision of and certified by a certain individual; requiring the county and courts to consider the description and plat as official and prima facie correct until the contrary is proven; requiring the County Commissioners of Washington County, if they acquire land under certain circumstances, to require the filing and recordation of plats with the deed or deeds showing the location and area of the land; authorizing the County Commissioners to construct county highways or roads under certain circumstances; authorizing the County Commissioners to adopt certain regulations; requiring the Division of Public Works to reevaluate and suggest revisions to the regulations under certain circumstances; requiring the County Commissioners to accept into the county road system certain roads under certain circumstances; requiring the County Commissioners to perform certain duties under certain circumstances; altering the conditions under which certain plans and specifications for a county road or bridge must be prepared; requiring bids for certain work to be solicited in accordance with certain provisions of law; authorizing the Director of the Division of Public Works to develop and publish certain standards, policies, details, and specifications; authorizing the Division to assess a certain fee for reproduction costs; requiring a certain manual to include certain information for public works; authorizing the manual to adopt certain standards, policies, or details by reference in a certain manner; requiring notice of the availability of public review and comment to be made in a certain manner; requiring a proposed manual or amendment to the manual to

be available for public review and comment for a certain period of time; requiring the Director to present the standards, manual, or revisions to the manual to the County Commissioners for adoption by resolution; authorizing the Director to develop and implement certain interim construction standards, policies, or details until a certain time; authorizing the Director to erect traffic control devices in accordance with certain provisions of law; authorizing certain traffic control devices to be erected on county highways under certain circumstances; authorizing temporary directional signs to be erected in the county right–of–way in accordance with applicable State and local standards; authorizing the County Commissioners to adopt certain regulations governing construction on county property; altering the maximum amount of a certain fine; prohibiting a person from stopping, standing, or parking a vehicle on certain surfaces of Washington County so as to impede the movement of traffic or constitute a threat to public safety; prohibiting a person from parking unregistered motor vehicles and trailers on certain surfaces of the county; prohibiting a person from creating or placing an obstruction on certain surfaces of the county; prohibiting a person from interfering with certain side ditches or drains; prohibiting certain persons from permitting certain vehicles to obstruct a crossing for a certain period of time; providing for certain criminal penalties; authorizing the Sheriff of Washington County to impound certain vehicles parked in a certain manner; authorizing the owner of an impounded vehicle to reclaim or secure the release of the vehicle after paying certain fines, costs, and fees; prohibiting a person from leaving personal property on certain property; prohibiting a lessor of real property from allowing the personal property of an evicted tenant to remain on certain property for a certain period of time; authorizing the Division to cause the personal property to be removed under certain circumstances; requiring all expenses incurred in removing the personal property to be charged to the lessor of the real property; providing that certain provisions of law do not replace or reduce certain authority of the County Commissioners; repealing certain provisions of law relating to roads in Washington County; making certain stylistic changes; clarifying language; making technical corrections; defining certain terms; and generally relating to roads and transportation in Washington County.

BY repealing
The Public Local Laws of Washington County
Section 7–102, 7–103, 7–106, and 7–107 and the subtitle "Subtitle 1. Prohibitions"; 7–201 and 7–203 and the subtitle "Subtitle 2. Powers and Duties of County Commissioners"; and 7–301 and 7–302 and the subtitle "Subtitle 3. Road Engineer"
Article 22 – Public Local Laws of Maryland
(2007 Edition, as amended)

BY renumbering
The Public Local Laws of Washington County
Section 7–101, 7–104, 7–105, 7–202, 7–204, 7–205, 7–206, 7–207, and 7–208, respectively

to be Section 7–401, 7–404, 7–405, 7–302, 7–303, 7–304, 7–305, 7–306, and 7–307, respectively
Article 22 – Public Local Laws of Maryland
(2007 Edition, as amended)

BY adding to
The Public Local Laws of Washington County
Section 7–101 to be under the new subtitle "Subtitle 1. Definitions"; 7–201 and 7–202 to be under the new subtitle "Subtitle 2. Roads and Bridges"; 7–301, 7–308, 7–309, and 7–310 to be under the new subtitle "Subtitle 3. Powers and Duties of County Commissioners"; and 7–402 and 7–403 to be under the new subtitle "Subtitle 4. Prohibitions"
Article 22 – Public Local Laws of Maryland
(2007 Edition, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 7–302, 7–303, 7–304, 7–305, 7–401, 7–404, and 7–405
Article 22 – Public Local Laws of Maryland
(2007 Edition, as amended)
(As enacted by Section 2 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1222 – Delegates Murphy, Beidle, Bohanan, Jameson, Kullen, Levy, and Wood

AN ACT concerning

Sales and Use Tax – Nonprofit Charitable Organizations

FOR the purpose of exempting from the sales and use tax a sale to certain organizations if the organization makes the purchase for certain purposes; and generally relating to certain sales and use tax exemptions.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–204(a)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 11–204(a–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1223 – Delegate Braveboy

AN ACT concerning

Education – Public High Schools and Public High School Students – Revisions and Requirements

FOR the purpose of requiring the State Department of Education to develop a certain data collection system and evaluate certain information relating to certain students who earn a GED on or before a certain date; identifying the purpose of a certain provision of law; requiring the State Board of Education to include certain information in certain reports; identifying the intent of the General Assembly relating to the review of certain course content, scheduling, and examinations and certain preparations and interventions provided to certain students; requiring certain county boards of education to partner with certain community colleges to offer certain discounts to certain students who take certain courses under certain circumstances; 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 individuals 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; requiring certain students to participate in certain virtual learning opportunities; requiring certain virtual learning opportunities to include certain types of opportunities; requiring a certain report; requiring the Department, in consultation and cooperation with the Maryland Higher Education Commission, to implement a certain student–identifying data system to be used for certain purposes on or before a certain date; requiring the Department, in consultation and cooperation with the Commission and other stakeholders, to determine certain standards to be used to define a certain term; making certain stylistic changes; and generally relating to public high schools and public high school students.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–203.2, 7–301(a), (c), (d), and (e), and 7–1002
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 7–204.1, 7–205.1, and 7–301(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–301(b)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1224 – Delegate Simmons

AN ACT concerning

Crimes – Actively Participating in a Criminal Gang – Penalties

FOR the purpose of prohibiting a person from actively participating in a criminal gang, with a certain intent, knowing that the members of the gang engage in an ongoing pattern of criminal gang activity; establishing penalties; and generally relating to criminal gangs.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–801
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–804
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1225 – Delegate Carter

AN ACT concerning

State Board of Cosmetologists – Makeup Artist Services

FOR the purpose of restoring provisions relating to the licensure and regulation of makeup artist services by the State Board of Cosmetologists; and generally relating to the regulation of makeup artist services by the State Board of Cosmetologists.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 5–101(a) and 5–305(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 5–101(g), (j), (k)(1)(iv) and (v), and (m), 5–205(b)(4), 5–301(b), 5–305(d) and (e), 5–306, 5–310, and 5–501
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 5–101(k)(1)(vi) and (m) and 5–305(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1226 – Delegates Ivey, Vallario, Ali, Anderson, Barnes, Dumais, Gutierrez, Hucker, Lee, Pena–Melnyk, Ramirez, Reznik, Rice, and Valderrama

AN ACT concerning

Vehicle Laws – Lawful Presence – Identification Card, Moped Operator's Permit, or Driver's License

FOR the purpose of requiring an applicant for an identification card, moped operator's permit, or driver's license issued by the Motor Vehicle Administration to provide documentation acceptable to the Administration that the applicant is a United States citizen or is lawfully present in the United States in accordance with federal law; providing for the effective term of an identification card, moped operator's permit, or driver's license issued to certain applicants; requiring the Administration to issue an identification card, moped operator's permit, or driver's license, with certain distinguishing features, to an applicant who is otherwise eligible for the identification card, moped operator's permit, or driver's license, but who does not provide certain documentation that the applicant is a United States citizen or is lawfully present in the United States in accordance with federal law; clarifying language; and generally relating to the issuance of an identification card, moped operator's permit, or driver's license and lawful presence in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(a) and (i), 16–104.2(a) and (e), and 16–115(a)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 16–106(e)(4), 16–115(a)(5), and 16–121
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1227 – Delegates Carter, Anderson, Barnes, Dumais, Ramirez, Rosenberg, Schuler, and Valderrama

AN ACT concerning

Juvenile Proceedings – Expungement of Police Records

FOR the purpose of requiring the expungement of certain police records in connection with juvenile proceedings relating to a delinquent act if certain procedures are met; establishing that for certain detentions or confinements in a juvenile proceeding occurring on or after a certain date, the person detained or confined is entitled to expungement of certain police records; requiring a certain law enforcement unit to take certain actions within a certain amount of time after release of a certain person entitled to expungement of a certain police record; requiring certain entities to take certain actions within a certain amount of time after receipt of a certain notice of expungement; establishing that a police record that is expunged under certain circumstances may not be expunged by obliteration for a certain period of time; providing for the circumstances under which certain records can be accessed; authorizing a person entitled to expungement of a police record to use a certain legal remedy and recover certain costs under certain circumstances; providing that a person is entitled to expungement of a criminal charge under certain circumstances; repealing certain procedures and time requirements for the expungement of a certain criminal charge; prohibiting a person who is entitled to expungement of certain police records under certain circumstances from being required to pay any fees or costs in connection with the expungement; defining certain terms; and generally relating to juvenile proceedings and expungement of police records.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–101, 10–105, and 10–106
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 10–103.2 and 10–103.3
Annotated Code of Maryland

(2008 Replacement Volume)

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

House Bill 1228 – Delegates Carter, Anderson, and Oaks

AN ACT concerning

Baltimore City – Law Enforcement Officers' Bill of Rights – Hearing Boards

FOR the purpose of providing that certain provisions of law relating to the membership of a hearing board that may conduct a hearing regarding certain charges against a law enforcement officer do not apply to certain law enforcement officers who are members of certain law enforcement agencies in Baltimore City; establishing certain requirements, applicable to a law enforcement officer who is a member of a certain law enforcement agency in Baltimore City, relating to the membership of a hearing board that may conduct a hearing regarding certain charges against a law enforcement officer; establishing that a certain hearing board consists of a certain judge, rotated from a pool selected by a committee composed of certain individuals, with a certain exception; requiring a certain hearing board to review certain charges for a certain purpose prior to a certain hearing; authorizing a certain hearing board to dismiss certain charges under certain circumstances; and generally relating to a hearing board under the Law Enforcement Officers' Bill of Rights concerning certain law enforcement officers in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–107
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1229 – Delegate Rudolph

AN ACT concerning

Electricity – Provision of Electricity Supply to Units of State Government and Local Governments

FOR the purpose of requiring the Department of General Services to procure a certain electricity supply on behalf of certain units of State government and certain counties and municipal corporations; requiring the Department to procure a certain electricity supply through competitive sealed proposals under certain circumstances; requiring the Department, after consulting with the Public Service Commission and the Maryland Energy Administration, to adopt certain

regulations under certain circumstances; requiring the Department to report to the Governor and the General Assembly on or before a certain date each year; defining a certain term; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to the procurement of electricity for units of State government and local governments.

BY adding to
Article – Public Utility Companies
Section 7–510.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1230 – Delegates Haynes, Barnes, Benson, Braveboy, Burns, Cane, Conaway, Frush, Gaines, Glenn, Guzzone, Harrison, Hucker, Ivey, Jones, Kirk, Levi, Love, Mizeur, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Robinson, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Heritage Structure Rehabilitation Tax Credit – Residential Units for Lower–Income Individuals

FOR the purpose of making certain rehabilitations ineligible for the Maryland Heritage Structure Rehabilitation Tax Credit unless the entity seeking the credit agrees to set aside a certain number of residential rental units as housing for households whose median income is below a certain percentage of the area median income; providing for the application of this Act; and generally relating to a requirement that certain rehabilitations seeking the Maryland Heritage Structure Rehabilitation Tax Credit set aside a certain number of residential rental units for households with certain incomes.

BY adding to
Article – State Finance and Procurement
Section 5A–303(c)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1231 – Delegates Haynes, Benson, Carter, Gaines, Guzzone, Kirk, Robinson, Rosenberg, Schuler, Stein, and Valderrama

AN ACT concerning

Employees' Pension System – Purchase of Contractual Service Credit

FOR the purpose of allowing certain members of the Employees' Pension System to purchase a certain amount of service credit within a certain period of time; requiring certain members of the 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' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–307
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 23–307.6
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1232 – Delegates Waldstreicher, Doory, Dumais, Montgomery, Oaks, Reznik, V. Turner, Valderrama, and Walker

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 patient by certified mail that the subpoena has been issued and that the patient 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 by the State Board of Physicians for medical records for mental health services.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 4–307(k)(1)(v)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–401(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1233 – Delegates O'Donnell, Bohanan, Proctor, and Wood

AN ACT concerning

Wild Waterfowl Hunting – Calvert and St. Mary's Counties

FOR the purpose of altering certain distances a person must be from shore when hunting wild waterfowl by certain methods in certain waters of Calvert and St. Mary's counties; and generally relating to hunting wild waterfowl in the waters of Calvert and St. Mary's counties.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–604(d), 10–605(c), and 10–606(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1234 – Delegate O'Donnell

AN ACT concerning

Public Benefits – Requirement of Proof of Lawful Presence

FOR the purpose of requiring adults to provide proof of lawful presence in the United States before receiving certain public benefits; requiring State units and political subdivisions that provide certain public benefits to verify the lawful presence of certain persons in the United States; providing for certain exceptions; requiring certain applicants for certain public benefits to produce certain types of identification; requiring certain applicants for certain public benefits to execute a certain affidavit; authorizing State units and political subdivisions to adopt certain modifications to certain requirements under

certain circumstances; prohibiting State units and political subdivisions from providing certain public benefits to certain persons; making it a misdemeanor to knowingly make a certain false, fictitious, or fraudulent statement or affidavit; providing certain penalties; requiring State units and political subdivisions to verify an applicant's lawful presence through a certain federal program; allowing a certain affidavit to be presumed to be proof of lawful presence under certain circumstances; requiring certain reports; defining certain terms; and generally relating to requiring proof of a person's lawful presence before receipt of certain public benefits.

BY adding to
Article – State Government
Section 10–1301 through 10–1307 to be under the new subtitle "Subtitle 13. Proof of Lawful Presence to Receive Public Benefits"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1235 – Delegate Krysiak

AN ACT concerning

Injured Workers' Insurance Fund – Rate Filing

FOR the purpose of requiring the Injured Workers' Insurance Fund to file with the Maryland Insurance Commissioner all rates, supplementary rate information, policy forms, and endorsements that the Fund proposes to use; authorizing the Commissioner to approve or disapprove rates proposed by the Fund in a certain manner; subjecting the Fund to certain provisions of the Insurance Article relating to prior approval rate making; repealing a certain prohibition against the Commissioner issuing a certain order to the Fund; authorizing the Commissioner to suspend the authority of the Fund to write insurance under certain circumstances; authorizing the Commissioner to examine or review the Fund for compliance with certain provisions of law on setting premium rates; making a certain schedule of premium rates set by the Board for the Fund subject to approval of the Commissioner; providing for the application of this Act; making stylistic changes; and generally relating to the Injured Workers' Insurance Fund.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 1–101(k), 11–205(a) through (e), and 11–206(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 11–202(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–403
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–101(e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–125(a), (b), and (c) and 10–130(a)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1236 – Delegate Rudolph

AN ACT concerning

Maryland Energy Administration – Clean Energy Loan Payment Program

FOR the purpose of establishing a Maryland Clean Energy Loan Payment Program; requiring the Maryland Energy Administration to administer the Program; stating the purpose of the Program; authorizing a certain property owner to repay a certain loan through a clean energy surcharge under certain circumstances; authorizing the State to impose a clean energy surcharge on certain property under certain circumstances; providing that a person who acquires property subject to a clean energy surcharge assumes the obligation to pay the surcharge; providing that a clean energy surcharge, including interest and penalties, constitutes a lien against the property; requiring the Administration to establish certain eligibility requirements for participation in the Program; authorizing the Administration to coordinate with certain other financial assistance programs; requiring the Administration and the Comptroller to establish certain regulations; establishing a Clean Energy Loan Payment Fund as a special fund for certain purposes; requiring the Administration to administer the Fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for

the contents and uses of the Fund; requiring the State Treasurer to invest the Fund in a certain manner; stating the findings and declarations of the General Assembly regarding this Act; defining certain terms; and generally relating to the Maryland Clean Energy Loan Payment Program.

BY adding to
Article – State Government
Section 9–20C–01 through 9–20C–09 to be under the new subtitle "Subtitle 20C. Clean Energy Loan Payment Program"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–201
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

House Bill 1237 – Delegates Hixson, Barnes, Barve, Bromwell, Frush, Gaines, Hecht, Ivey, Proctor, Ross, and F. Turner

AN ACT concerning

Moist Snuff – Taxation and Regulation

FOR the purpose of altering the tobacco tax rate for certain tobacco intended to be placed in the oral cavity; 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 cancer research; altering the information required to be stated in a tobacco tax return; prohibiting the manufacturer of moist snuff from taking certain action relating to advertising, marketing, distributing, giving away, promoting, or selling moist snuff; prohibiting a manufacturer of moist snuff from sponsoring certain events, teams, or venues; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring a moist snuff manufacturer to designate a certain person for the purpose of receiving certain notice from the Attorney General; requiring the Attorney General to provide certain notice under certain circumstances; prohibiting a moist snuff manufacturer from entering into certain contracts or agreements; defining certain terms; and generally relating to the taxation and regulation of moist snuff and moist snuff manufacturers.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–317(b) and (g)

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 2–1602.1 and 12–101(b–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1603, 12–105(b), and 12–202
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Business Regulation
Section 16–701 through 16–713 to be under the new subtitle "Subtitle 7. Moist Snuff"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

House Bill 1238 – Delegates Carr, Ali, Frush, Glenn, Hecht, Hucker, Montgomery, and Robinson

AN ACT concerning

Maryland Energy Administration – Standards for Televisions

FOR the purpose of requiring the Maryland Energy Administration, on or before a certain date, to adopt certain regulations concerning energy efficiency standards and labeling standards for televisions sold in the State; requiring the Administration, when adopting certain regulations, to consider adopting similar standards to those that have been adopted in certain other states or are being proposed in certain other states; defining certain terms; and generally relating to energy efficiency and labeling standards for televisions sold in the State.

BY adding to
Article – State Government
Section 9–2006.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1239 – Delegate Malone

AN ACT concerning

Landlord and Tenant – Rent Control – Local Government Authority

FOR the purpose of prohibiting a local government from enacting a law, ordinance, or regulation that is designed to control the amount of rent charged for leasing private residential or commercial property; clarifying that this Act does not impair the right of a local government to manage and control residential property in which the local government has a property interest; defining a certain term; providing for the application of this Act; and generally relating to the authority of local governments to control rent.

BY adding to
Article – Real Property
Section 8–119
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1240 – Delegates Nathan–Pulliam, Benson, Burns, Carter, Glenn, Harrison, Kirk, Oaks, Robinson, Stukes, Tarrant, and V. Turner

AN ACT concerning

Task Force to Study Health Disparities Among Minority Children with Learning Disabilities

FOR the purpose of establishing the Task Force to Study Health Disparities Among Minority Children with Learning Disabilities; specifying the membership and the staff of the Task Force; requiring the Task Force to study certain issues; requiring the Task Force to make certain reports; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Study Health Disparities Among Minority Children with Learning Disabilities.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1241 – Delegates Beidle, Love, Ali, Carr, Hucker, Ivey, Olszewski, Pena–Melnyk, and Vaughn

AN ACT concerning

Maryland State Song

FOR the purpose of changing the State song; and generally relating to the State song.

BY repealing and reenacting, with amendments,
Article – State Government
Section 13–307
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1242 – Delegates Mizeur, Hixson, and Hucker

AN ACT concerning

Creation of a State Debt – Montgomery County – Dance Exchange

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 Dance Exchange, 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 Appropriations.

House Bill 1243 – Delegates Hixson, Ali, Barkley, Bobo, Bronrott, G. Clagett, Conaway, Dumais, Feldman, Gaines, Harrison, Haynes, Healey, Hubbard, Hucker, Ivey, Jones, Kirk, Kramer, Lee, Levi, Levy, Manno, McHale, Minnick, Montgomery, Proctor, Ramirez, Rice, Riley, Robinson, Taylor, Vaughn, and Waldstreicher

AN ACT concerning

Fairness in Negotiations Act

FOR the purpose of requiring certain collective bargaining agreements to provide for binding arbitration of the grievances arising under the agreements that the parties have agreed to be subject to arbitration; requiring a public school employer and an exclusive representative of certain public school employees to negotiate in a certain manner; including, for certain certificated employee organizations, employee transfers and assignments among the matters that may be negotiated on request under certain circumstances; including, for certain noncertificated employee organizations, the discipline and discharge of an employee for just cause and employee transfers and assignments among the

matters that may be negotiated on request under certain circumstances; repealing certain provisions of law concerning negotiations between a public school employer and certain employee organizations; requiring a public school employer and an exclusive representative to mediate certain differences on the demand of the public school employer or the exclusive representative under certain circumstances; requiring the party demanding mediation to deliver a copy of the demand to the State Superintendent of Schools; authorizing the public school employer and the exclusive representative mutually to consent to request the State Superintendent to provide certain assistance and advice; requiring the public school employer and the exclusive representative to select a neutral mediator to conduct the mediation within a certain period of time and in a certain manner; requiring mediation to commence within a certain period of time after a neutral party is selected; requiring mediation to conclude within a certain period of time; prohibiting the mediator from issuing certain written findings or other documents under certain circumstances; requiring the parties to the mediation to share equally the costs of the mediator; requiring the public school employer and the exclusive representative to arbitrate all differences under certain circumstances; requiring the party demanding arbitration to deliver a copy of the demand to the State Superintendent; requiring the public school employer and the exclusive representative to select an arbitrator to conduct the arbitration within a certain period of time and in a certain manner; requiring arbitration to commence within a certain period of time after an arbitrator is selected; providing that arbitration commences under certain circumstances; requiring last and best offers to list separately certain terms or conditions and demands; requiring the public school employer and the exclusive representative each to deliver a copy of their last and best offer to the arbitrator; requiring the arbitrator to perform certain duties under certain circumstances; providing that the arbitrator has full authority to hear and decide certain issues in dispute; requiring the arbitrator to conclude the arbitration within a certain period of time; requiring the arbitrator to issue the written award within a certain period of time; requiring the arbitrator to decide between certain last and final offers of the public school employer and the exclusive representative; establishing that the arbitrator's finding on an issue in dispute is final and binding on the public school employer and the exclusive representative and is a self–executing mandate on certain parties; providing that the written award is subject to certain provisions of law; requiring the arbitrator to deliver a copy of the written award to certain parties; authorizing the public school employer and the exclusive representative to agree to waive certain time limits; requiring the parties to the arbitration to share equally the costs of the arbitration; establishing that certain provisions of law apply to certain disputes between a public school employer and an exclusive representative; requiring the public school employer and the exclusive representative to arbitrate certain disputes under certain circumstances; requiring the party demanding arbitration to deliver a copy of the demand to certain parties; requiring the public school employer and the exclusive representative to select an arbitrator to conduct the arbitration within a certain period of time and in a certain manner; requiring the arbitrator to commence

the arbitration within a certain period of time; authorizing the arbitrator to perform certain acts; establishing that a prior order, action, or opinion issued by the State Board of Education does not constitute binding precedent in arbitration after the enactment of certain provisions of law; requiring an arbitrator to conclude an arbitration within a certain period of time in a certain manner; requiring an arbitrator to issue a ruling within a certain period of time; establishing that the arbitrator's finding is final and binding on the public school employer and the exclusive representative and is a self–executing mandate on certain parties; requiring the parties to the arbitration to share equally the costs of the arbitration; requiring the arbitrator to deliver a copy of the written award to certain parties; defining certain terms; making stylistic changes; and generally relating to public school education, collective bargaining, and dispute resolution.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–401, 6–408, 6–501, and 6–510
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1244 – Delegate Ross

AN ACT concerning

Corporate Income Tax – Rate Reduction and Reform

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations for certain taxable years; requiring certain corporations to compute Maryland taxable income using a certain method; allowing certain corporations to claim a credit against the State income tax in a certain amount for certain taxable years; altering a provision limiting to certain taxable years certain requirements for certain corporations to file certain statements with the Comptroller; requiring the Comptroller to make certain estimates and include certain estimates in a certain report; providing that, subject to regulations of the Comptroller, certain groups of corporations shall file a combined income tax return reflecting the aggregate income tax liability of all of the members of the group; requiring the Comptroller to adopt certain regulations; requiring certain regulations to be consistent with certain regulations adopted by the Multistate Tax Commission; defining certain terms; stating the intent of the General Assembly that certain legislation be adopted in a certain year to permanently reduce the corporate income tax rate; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

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

Section 10–105(b), 10–804.1(c)(1)(i), and 10–811
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–402.1, 10–728, and 10–804.1(e)(4)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–804.1(e)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1245 – Frederick County Delegation

AN ACT concerning

Frederick County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Frederick County to hunt deer on certain Sundays on private property with a bow and arrow during certain months; removing Frederick County from a list of counties in which certain Sunday deer hunting privileges do not apply; and generally relating to 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 and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1246 – Delegates Shank, Aumann, Bates, Boteler, Carter, Costa, Dwyer, Eckardt, Elmore, Frank, George, Glenn, Haddaway, Kelly, Kipke, Krebs, McComas, Myers, Norman, Schuh, Serafini, Shewell, Smigiel, Sophocleus, Sossi, Waldstreicher, Walkup, and Wood

AN ACT concerning

Protection of Children from Online Predators Act of 2009

FOR the purpose of requiring a certain Internet access provider to make a certain parental Internet control product or service available to a subscriber under certain circumstances; requiring an Internet access provider to provide certain information to a subscriber at a certain time under certain circumstances; authorizing an Internet access provider to make a parental Internet control product or service available to a subscriber in a certain manner and charge for the product or service; granting a provider of a certain interactive computer service immunity from civil liability for taking certain actions based on a certain belief or for failing to take certain actions under certain circumstances; authorizing an investigative or law enforcement officer to request the creation of a certain backup copy if the request is made in connection with a certain investigation; requiring a certain service provider to take all necessary steps to preserve certain records and evidence at a certain time; prohibiting a person who is at least a certain number of years older than a certain minor from knowingly requesting or encouraging the victim through a certain means to expose or touch the victim's own or another person's genital area or female breasts or observe the person's genital area or female breasts while communicating with the person through a certain means; providing that a certain violation is considered to be committed in the State for a certain purpose if a certain request or encouragement originated or is received in the State; providing penalties for a violation of this Act; requiring the Department of Public Safety and Correctional Services to make certain information available through a certain mechanism to certain entities for a certain purpose; authorizing a judge imposing a sentence on a person who has been convicted of a sexual offense against a minor to include a certain special sentence of supervision; requiring that a person serving a special sentence of supervision be subject to one or more conditions that may include certain supervision or inspections; requiring that a special sentence of supervision be conducted by a certain officer or specialist, in a certain manner and form; authorizing a judge to limit or restrict a certain person's Internet access in a certain manner under certain circumstances; establishing procedures by which a person may petition for and a judge may grant release from a special sentence of supervision; defining certain terms; and generally relating to protection of children from online predators.

BY adding to
Article – Commercial Law
Section 14–3701 and 14–3702 to be under the new subtitle "Subtitle 37. Parental Internet Control Products and Services"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–427
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–4A–05(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 3–325
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–717(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 11–728
Annotated Code of Maryland
(2008 Replacement Volume)

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

House Bill 1247 – Delegates Shank, Barnes, Dumais, Dwyer, Eckardt, Frank, Haddaway, Kelly, Kramer, McComas, Schuh, Smigiel, Sossi, and Valderrama

AN ACT concerning

Criminal Procedure – Domestic Violence – Lethality Assessment and Global Positioning Satellite Tracking

FOR the purpose of requiring a court, in a county that implements a global positioning satellite tracking system program, to require, as a condition of a defendant's pretrial release on a charge of violating a certain protective order, that the defendant undergo a certain lethality assessment evaluation; requiring a court to order a certain defendant supervised by means of active electronic monitoring as a condition of bail under certain circumstances; providing that, in a county that implements a global positioning satellite tracking system program, if the court suspends 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, the court shall require the defendant to undergo a certain lethality assessment evaluation; requiring the court to place a certain

defendant under active electronic monitoring under certain circumstances; 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; requiring the Governor's Office of Crime Control and Prevention to take certain steps to assist the State in securing certain funding and to develop a certain program; and generally relating to evaluations and electronic monitoring of defendants subject to protective orders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202(e) and 6–221
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–509(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1248 – Delegates Shank, Bates, Beitzel, Cane, Conway, Eckardt, Elmore, Haddaway, Krebs, Manno, Mathias, Myers, Norman, O'Donnell, Riley, Rudolph, Serafini, Shewell, Sossi, Stocksdale, Stull, Taylor, Weir, Weldon, and Wood

AN ACT concerning

Agriculture – Nutrient Management Plans – Confidentiality

FOR the purpose of requiring the Department of Agriculture to destroy certain documents after a certain number of years from the date of filing or return the documents to certain individuals; prohibiting the Department from sharing certain information with other government agencies or members of the general public; and generally relating to the confidentiality of nutrient management plans.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–801.1
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1249 – Delegates Feldman, Ali, Barkley, Barnes, Benson, Braveboy, Bronrott, Burns, Cane, Carr, Carter, Dumais, Frush, Gaines, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Krysiak, Kullen, Lee, Levi, Love, Manno, McHale, Mizeur, Montgomery, Niemann, Pena–Melnyk, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, and Weir

AN ACT concerning

Maryland Wage and Hour Law – Payment of Overtime – Exemptions

FOR the purpose of exempting certain employers from the requirement to pay a certain overtime wage; altering the manner in which a wage for overtime is computed by employers for employees; and generally relating to overtime pay.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–401 and 3–415(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–415(c) and 3–420
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1250 – Delegate Frush

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Prohibited Acts

FOR the purpose of establishing that a manufacturer, distributor, or factory branch may not take certain actions through an affiliate; requiring a sales objective or other program for measuring the performance of vehicle dealers to be fair and based on certain factors under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from denying certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from offering or advertising, or allowing its dealers to offer or advertise, certain programs or terms unless all dealers are allowed to offer or advertise the programs or terms; establishing the burden of proof when a

manufacturer, distributor, or factory branch denies certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from requiring a dealer to alter or replace an existing dealership facility or from denying or threatening to deny certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from reducing the price of a motor vehicle charged to a dealer or providing different financing terms to a dealer in exchange for a certain agreement by the dealer; specifying the conditions under which a manufacturer, distributor, or factory branch may offer certain promotional items for the sale of a vehicle by its dealers; prohibiting a manufacturer, distributor, or factory branch from discriminating among its dealers under certain circumstances; requiring a manufacturer, distributor, or factory branch that has a certain franchise or other contract with a dealer to allow the dealer to make certain purchases in a certain manner and to receive certain rights to incentive payments; prohibiting a manufacturer, distributor, or factory branch from exercising a right of first refusal under certain circumstances related to a transfer of a dealer's business or a proposed change in the executive management of a dealer's business; prohibiting a manufacturer, distributor, or factory branch from imposing certain conditions on the approval of a certain sale or transfer of the ownership of a dealership; establishing that a manufacturer, distributor, or factory branch commits a certain violation for taking certain actions; authorizing a dealer to request a certain hearing under certain circumstances; authorizing the Motor Vehicle Administrator to take certain actions; authorizing an applicant for approval of a sale, assignment, or transfer of ownership of a dealership or a dealer to bring a certain action in the circuit court under certain circumstances and within a certain period of time; altering the period of time during which a certain claim may be charged back under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from refusing to pay or claiming reimbursement from a dealer for sales, incentives, or payments related to a motor vehicle sold by a dealer and exported or resold by the purchaser under certain circumstances; establishing a conclusive presumption that a dealer has no knowledge of certain facts under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from giving certain benefits, payments, or gifts directly to an employee; requiring that certain benefits, payments, or gifts from a manufacturer, distributor, or factory branch to an employee be given to the dealer and distributed in a certain manner; authorizing a dealer to retain certain costs; requiring a manufacturer, distributor, or factory branch to make certain payments or reimbursements to a dealer under certain circumstances; altering a certain definition; and generally relating to manufacturers, distributors, and factory branches.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–207, 15–208, 15–211, and 15–212.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 15–212.2
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–213
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1251 – Delegate Conaway

AN ACT concerning

Vehicle Dealers – Dealer Processing Charges – Posted Notice

FOR the purpose of requiring a vehicle dealer who charges a dealer processing charge to post a "Notice of Dealer Processing Charge" in the vehicle dealer's dealership in a prominent location that is clearly visible to customers; requiring the posted notice required under this Act to be printed in a certain manner and to include certain information; and generally relating to dealer processing charges.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–311.1
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1252 – Delegates Norman, James, Jennings, Shewell, Smigiel, and Stifler

AN ACT concerning

Commercial Law – Attachment of Contract Payments Due from or Payable by the State, a Local Governing Body, or a Public Officer

FOR the purpose of providing that a contract payment due from or payable by the State or a local governing body, or by the public officers of the State or a local governing body, to a person is subject to a certain attachment process brought for the enforcement of certain legal obligations of the person; and generally relating to the attachment of contract payments.

BY adding to
Article – Commercial Law
Section 15–608 to be under the amended subtitle "Subtitle 6. Attachment of Wages and Contract Payments"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

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

House Bill 1253 – Delegates Manno and Schuler

AN ACT concerning

Workers' Compensation – Appeals – Evidence

FOR the purpose of authorizing the introduction of certain health care records as evidence in an appeal from a decision of the Workers' Compensation Commission under certain circumstances; providing for certain exceptions; requiring a certain notice to be served to all parties within a certain time period; establishing a certain limit on a certain verdict or judgment; requiring a court to alter a certain verdict under certain circumstances; clarifying that this Act does not otherwise limit the right to introduce new evidence; defining a certain term; providing for the application of this Act; and generally relating to evidence introduced in appeals from Workers' Compensation Commission decisions.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–104(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–745
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 9–745.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1254 – Delegates Manno and Schuler

AN ACT concerning

Workers' Compensation – Jurisdiction Pending Appeal

FOR the purpose of altering the circumstances under which the Workers' Compensation Commission retains jurisdiction of requests for temporary total disability benefits pending an appeal; altering the circumstances under which the Commission is authorized to pass a supplemental order requiring an employer to provide temporary total benefits; establishing certain penalties for failure to pay a certain award; and generally relating to the jurisdiction of the Workers' Compensation Commission.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–610.1 and 9–728
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–742
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1255 – Delegates Manno and Schuler

AN ACT concerning

Workers' Compensation – Regulatory Power of Commission – Forensic Services

FOR the purpose of expanding the authority of the Workers' Compensation Commission to regulate certain fees and services to include fees for certain forensic medical services paid by certain parties; providing that certain services that are provided during a certain appeal are exempt from regulation; and generally relating to the regulatory power of the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–663
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1256 – Delegates Manno and Schuler

AN ACT concerning

Workers' Compensation – Death Benefits – Partially Dependent Individuals

FOR the purpose of increasing the maximum weekly death benefit payable to certain individuals who were partially dependent at the time of the covered employee's death; increasing the total benefit payable under certain circumstances if a certain surviving spouse remarries; providing for the application of this Act; and generally relating to death benefits under workers' compensation law for partially dependent individuals.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–678 and 9–679
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–682
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1257 – Delegates Griffith, Ali, Barkley, Barve, Benson, Braveboy, Bronrott, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Kaiser, Kramer, Lee, Levi, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Proctor, Reznik, Rice, Ross, Taylor, V. Turner, Valderrama, Waldstreicher, and Walker

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 $300,000, 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 Appropriations.

House Bill 1258 – Delegates Proctor and Vallario

AN ACT concerning

Legislative Community Initiatives Loan of 2004 and Maryland Consolidated Capital Bond Loan of 2007 – Prince George's County – Marlton Gazebo

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to allow the Marlton Gazebo Foundation to include certain prior expended funds in the required matching fund; amending the Maryland Consolidated Capital Bond Loan of 2007 to remove a requirement that the Marlton Gazebo Foundation grant a certain easement and to allow the Marlton Gazebo Foundation to include in kind contributions in the required matching fund; and generally relating to the Legislative Community Initiatives Loan of 2004 and the Maryland Consolidated Capital Bond Loan of 2007.

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 (BF)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item ZA01(BA)

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

House Bill 1259 – Delegates Proctor, Vallario, Anderson, Aumann, Bartlett, Bates, Beidle, Bohanan, Boteler, Burns, Conaway, Conway, Davis, DeBoy, Donoghue, Doory, Eckardt, Elmore, Frank, Frush, Gaines, George, Haddaway, Hammen, Haynes, Heller, Holmes, Hubbard, Ivey, Jameson, Jennings, Kach, King, Kipke, Krebs, Krysiak, Levi, Malone, Mathias, McConkey, McHale, Minnick, Myers, O'Donnell, Robinson, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stukes, Stull, Tarrant, V. Turner, Valderrama, Vaughn, Walker, and Wood

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 by a certain date each year; requiring an entity to submit an application by a certain date each year or qualify as a certain State–aided educational institution to be an eligible innovative educational organization; 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; 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; establishing the Building Opportunities for All Students and Teachers Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund under certain circumstances; 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 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–205(k), 10–306(g), and 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1260 – Delegates Norman, Carr, Ali, Conaway, Dwyer, Jennings, Malone, McComas, Niemann, Robinson, Shewell, Sossi, and Stull

AN ACT concerning

Bankruptcy Proceedings – Exemptions – Interests in Real Property and Personal Property

FOR the purpose of authorizing an individual debtor domiciled in this State to exempt in a bankruptcy proceeding the debtor's aggregate interests in real property and in personal property, not to exceed certain amounts; and generally relating to certain exemptions in a bankruptcy proceeding for real property and personal property.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

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

House Bill 1261 – Delegates Mathias, Cane, Conway, and Rudolph

AN ACT concerning

Criminal Law – Salvinorin A and Salvia Divinorum – Controlled Dangerous Substances

FOR the purpose of establishing that a material, compound, mixture, or preparation that contains Salvinorin A or Salvia divinorum, with a certain exception, is a Schedule I controlled dangerous substance; authorizing a certain provider to conduct research in the State with a controlled dangerous substance listed in Schedule I under certain circumstances; providing penalties for a violation of the prohibition against possessing a controlled dangerous substance involving the use or possession of Salvinorin A or Salvia divinorum; providing certain penalties for a person who violates the prohibition against manufacturing, distributing, possessing with intent to distribute, or dispensing a certain volume of Salvinorin A or Salvia divinorum; and generally relating to Salvinorin A and Salvia divinorum.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–304, 5–402(d), 5–601, and 5–612
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–402(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1262 – Delegates Hucker, Ali, Anderson, Aumann, Barnes, Bartlett, Beidle, Bobo, Bohanan, Branch, Cardin, Carr, Carter, V. Clagett, Conaway, Costa, Donoghue, Dumais, Dwyer, Elmore, Feldman, Frick, Frush, George, Gilchrist, Glenn, Gutierrez, Haddaway, Hecht, Heller, Holmes, Howard, Hubbard, Ivey, Kach, Kaiser, Kipke, Kramer, Krebs, Kullen, Lafferty, Lee, Malone, Manno, McComas, McConkey, McDonough, Mizeur, Montgomery, Myers, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Robinson, Ross, Schuh, Schuler, Shewell, Simmons, Sossi, Stein, Stull, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, Walkup, Weir, and Weldon

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 exception to a certain licensing provision; 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 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 2–101(b)(1)(i) and 9–102(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 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 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 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 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1263 – Delegates Hucker, O'Donnell, and Shewell

AN ACT concerning

Mercury Switch Removal from Vehicles

FOR the purpose of requiring motor vehicle manufacturers to develop a mercury minimization plan that includes information on mercury switch removal from motor vehicles; requiring certain manufacturers to submit a certain plan to the Department of the Environment within a certain number of days after the enactment date of this Act; establishing certain requirements for a mercury minimization plan; requiring vehicle manufacturers to pay certain costs associated with mercury switch removal; requiring the Department to review the plan and make a determination about the status of the plan within a certain number of days; authorizing the Department to impose certain penalties for violators of a mercury minimization plan; authorizing a scrap recycling facility to accept end–of–life vehicles that contain mercury switches under certain circumstances; defining certain terms; authorizing the Department to adopt rules and regulations to administer the plan; requiring an annual report containing certain information to be submitted to the Department; requiring certain vehicle manufacturers to report certain information to the Department

on or before a certain date; requiring the Department to make a certain determination; making this Act subject to a certain contingency; requiring the Department to forward a copy of a certain determination to the Department of Legislative Services; providing for the termination of this Act under certain circumstances; and generally relating to mercury switch removal from motor vehicles.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–904 and 6–905
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

BY adding to
Article – Environment
Section 6–905.4 through 6–905.6
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1264 – Delegates Walker, Anderson, Barnes, Benson, Braveboy, Bromwell, Cardin, Carter, Conaway, Feldman, Frick, Frush, Gaines, Griffith, Guzzone, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jameson, Jennings, King, Krebs, Lafferty, Murphy, Myers, Niemann, Oaks, Olszewski, Reznik, Rice, Ross, Schuler, Serafini, Sossi, Stein, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, Walkup, and Weir

AN ACT concerning

Gwendolyn Britt Student Health and Fitness Act

FOR the purpose of requiring certain local school systems to develop and implement certain physical fitness measurement programs to be used for certain purposes; requiring the State Department of Education to take certain steps to support certain fitness measurement programs; requiring each local school system to submit certain plans and certain reports to the Department; requiring the Department to establish a certain Advisory Council; providing for the membership, election of officers, and staff of the Advisory Council; prohibiting certain members of the Advisory Council from receiving certain compensation; authorizing certain members of the Advisory Council to receive certain reimbursement; requiring the Advisory Council to meet certain times per year; requiring the Advisory Council to develop and coordinate certain educational programs for students; authorizing the Advisory Council to seek, accept, and expend certain funds and to seek, accept, and use certain services; and

generally relating to the development and implementation of physical fitness measurement programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1265 – Delegates Walker, Anderson, Barnes, Benson, Braveboy, Bromwell, Carter, Feldman, Frick, Haddaway, Harrison, Holmes, Ivey, Kach, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Rice, Serafini, Stukes, Stull, Tarrant, Taylor, F. Turner, V. Turner, and Vaughn

AN ACT concerning

State Government – Sickle Cell Anemia Awareness Month

FOR the purpose of requiring the Governor to proclaim the month of September to be "Sickle Cell Anemia Awareness Month".

BY adding to
Article – State Government
Section 13–503
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1266 – Delegate Hucker

AN ACT concerning

High Performance Buildings and Energy Performance Standards – Exceptions – Repeal

FOR the purpose of repealing certain exceptions to the requirement that certain State capital projects be constructed or renovated to be high performance buildings; repealing a certain exception to energy performance standards and analyses required for State buildings; establishing certain deadlines by which the Department of Transportation is required to perform a certain energy analysis and develop a certain energy plan for certain buildings; requiring the Department of General Services and the Maryland Energy Administration to

include by a certain date the energy consumption for certain buildings in determining compliance with energy performance standards; and generally relating to environmental and energy standards for State buildings.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1 and 4–806
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 1267 – Delegates Valderrama, Ali, Anderson, Barnes, Benson, Cane, Carr, Carter, Feldman, Guzzone, Howard, Ivey, Kramer, Lee, Manno, McConkey, Pena–Melnyk, Simmons, Smigiel, V. Turner, and Waldstreicher

AN ACT concerning

Public Safety – SWAT Team Activation and Deployment – Reports

FOR the purpose of requiring, at certain intervals beginning on a certain date, a law enforcement agency that maintains a SWAT team to report certain information to the Office of the Attorney General using a certain format; requiring the Police Training Commission, in consultation with the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data relating to the activation and deployment of certain SWAT teams to the Office and to certain local officials; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Office no later than a certain date following the period that is the subject of the report; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date of each year; providing that, if a law enforcement agency fails to comply with the reporting provisions of this Act, the Office shall report the noncompliance to the Police Training Commission; providing that the Commission shall contact a certain law enforcement agency and request that the agency comply with this Act under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting provisions within a certain period after being contacted by the Commission, the Office of the Attorney General and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly; defining certain terms; and generally relating to the activation and deployment of SWAT teams.

BY adding to

Article – Public Safety
Section 3–507
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

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

House Bill 1268 – Delegate Bromwell

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Video Lottery Terminals – Expansion to Baltimore–Washington International Thurgood Marshall Airport

FOR the purpose of amending the Maryland Constitution to authorize video lottery terminal gaming at Baltimore–Washington International Thurgood Marshall Airport; altering the number of licenses that the State may issue to operate video lottery terminals; altering the number of video lottery terminals that may be authorized in the State; 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 XIX – Video Lottery Terminals
Section 1

Read the first time and referred to the Committee on Ways and Means.

House Bill 1269 – Delegate Bobo

AN ACT concerning

Credit Regulation – Provision of Debt Management and Debt Settlement Services

FOR the purpose of altering a certain exemption from certain provisions of law governing the provisions of debt management services; prohibiting a person from providing, or offering or attempting to provide, debt settlement services in the State; defining a certain term; and generally relating to debt management and debt settlement services.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–902
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Financial Institutions
Section 12–902.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1270 – Delegates Stukes and Cardin

AN ACT concerning

Corporations and Associations – Address and Principal Office – Definitions

FOR the purpose of altering the definition of "address" for business entities; requiring entities to specify a certain location in the address; altering the definition of "principal office" to include a certain "address"; altering the scope of the definition of "principal office" to include all entities; and generally relating to the definitions of "address" and "principal office" used by entities.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–101(b) and (r)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1271 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Alcoholic Beverages – Maximum Fine for Sales Violations

FOR the purpose of altering the maximum fine that the Alcohol Beverage Board of St. Mary's County may impose for a violation of the laws as to licensing the sale of alcoholic beverages; making certain stylistic and technical corrections; and generally relating to alcoholic beverages sales in St. Mary's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–507(t)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1272 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Alcoholic Beverages – Off–Sale License Quota

FOR the purpose of prohibiting the Board of License Commissioners of St. Mary's County from issuing more than a certain number of alcoholic beverages licenses with an off–sale privilege for each unit of a certain number of people in each election district in the county; requiring the Board to maintain the license quota by using the population figures of the most recent federal census; providing for the application of this Act; and generally relating to alcoholic beverages in St. Mary's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–219(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9–219(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1273 – Delegates Valderrama, Anderson, Barnes, Carter, Conaway, Dumais, Gutierrez, Kramer, Lee, Ramirez, Rosenberg, Schuler, and Vallario

AN ACT concerning

Criminal Law – Limited Immunity – Seeking Medical Assistance for Alcohol or Drug–Related Overdose

FOR the purpose of providing that a certain person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be charged with or prosecuted for a certain crime under certain circumstances; providing that a certain person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be detained on a certain warrant under certain circumstances; providing that a person who seeks medical assistance for a person experiencing an alcohol or a drug–related overdose may not be required to provide personal identifying information except for a certain purpose of assisting in certain medical treatment; creating a certain exception;

providing that a certain person experiencing an alcohol or a drug–related overdose may not be charged with or prosecuted for a certain crime under certain circumstances; providing that a certain person experiencing an alcohol or a drug–related overdose may not be detained on a certain warrant under certain circumstances; providing that the act of seeking medical assistance for a certain person may be used as a mitigating factor in a certain criminal prosecution; and generally relating to limited immunity for seeking medical assistance for an alcohol or a drug–related overdose.

BY adding to
Article – Criminal Law
Section 5–601.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1274 – Delegates Mizeur and Rosenberg

AN ACT concerning

Janet L. Hoffman Loan Assistance Repayment Program – Exemption from Taxation

FOR the purpose of providing a subtraction from the federal adjusted gross income of a resident to determine Maryland adjusted gross income for amounts received by an individual under the Janet L. Hoffman Loan Assistance Repayment Program; requiring the Maryland Higher Education Commission to examine the feasibility of restructuring the Janet L. Hoffman Loan Assistance Repayment Program as a loan program under which loans qualifying for certain special federal income tax treatment would be made and certain indebtedness would be discharged under circumstances such that the amount of the indebtedness discharged would be excluded from gross income for federal income tax purposes; requiring the Commission to obtain certain advice from the Attorney General and, under certain circumstances, to obtain certain approvals, rulings, opinions, or confirmations from the Internal Revenue Service; requiring the Commission to report on or before a certain date to the Governor and the General Assembly on the feasibility of restructuring the Program; providing for the application of certain provisions of this Act; and generally relating to exemption from taxation for amounts received under the Janet L. Hoffman Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY adding to
Article – Tax – General
Section 10–207(y)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1275 – Delegate Nathan–Pulliam

AN ACT concerning

Health Occupations Boards – Revisions

FOR the purpose of requiring certain health occupations boards to provide certain notification to certain licensees or certificate holders of board vacancies; requiring certain health occupations boards to collect certain racial and ethnic information; requiring that, to the extent practicable, certain members of certain health occupations boards reasonably reflect certain geographic, racial, ethnic, cultural, and gender diversity; requiring the Secretary of Health and Mental Hygiene to confirm the appointment of certain executive directors; requiring that, to the extent practicable, certain health occupations boards limit the scope of subpoenas; requiring certain health occupations boards to establish certain subcommittees to be responsible for certain investigations, determine whether certain charges should be brought, and participate in certain preadjudication case resolution conferences; prohibiting certain health occupations boards from bringing certain charges after a certain period of time; requiring certain health occupations boards that use peer review to provide certain licensees and certificate holders an opportunity to review and respond to certain preliminary reports; requiring certain health occupations boards to determine a certain means of communication between a peer reviewer and a licensee or certificate holder; prohibiting certain members and counsel from being included in certain meetings; authorizing certain health occupations boards to establish certain programs to provide certain training, mentoring, or other remediation for certain licensees or certificate holders who commit a certain number of standard of care violations; requiring certain health occupations boards to adopt certain sanctioning guidelines; requiring certain health occupations boards to post certain final orders for disciplinary action on certain websites; requiring certain health occupations boards to remove certain postings on certain websites under certain circumstances; establishing that certain records may not be used in certain legal proceedings under certain circumstances; requiring the Secretary to establish certain goals for the timeliness of complaint resolution; requiring the Secretary to monitor certain compliance with certain guidelines and make certain recommendations on or before a certain date; requiring the Office of the Attorney General to establish certain guidelines concerning certain functions of certain advisors and

advocates; requiring the Office of the Attorney General and certain health occupations boards to post certain guidelines or a link to certain guidelines on certain websites; authorizing the Office of the Attorney General to establish a certain pool of advocates and assign the advocates to certain boards in a certain manner; authorizing certain health occupations boards to create certain positions under certain circumstances; providing that the creation of certain positions may not be construed to require certain State General Fund support; requiring certain health occupations boards to collaborate with the Department of Health and Mental Hygiene and the Department of Budget and Management to develop and adopt certain regulations; requiring the Department of Health and Mental Hygiene to submit a certain report to the Department of Budget and Management and the Department of Legislative Services; defining certain terms; and generally relating to revisions for the health occupations boards.

BY adding to
Article – Health Occupations
Section 1–214 through 1–218; 1–601 through 1–610 to be under the new subtitle "Subtitle 6. General Clarification of the Disciplinary Process"; 1–701 through 1–703 to be under the new subtitle "Subtitle 7. Role of Assistant Attorneys General"; and 1–801 and 1–802 to be under the new subtitle "Subtitle 8. Authority to Create Staff Positions"
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1276 – Delegates Malone and DeBoy

AN ACT concerning

Gaming – Instant Bingo on Electronic Machines – Repeal of Sunset

FOR the purpose of repealing certain qualifications for a commercial bingo licensee to operate a game of instant bingo under certain circumstances; repealing a certain termination provision relating to the continued operation by a commercial bingo licensee or a qualified organization of a game of instant bingo using electronic machines; repealing a certain requirement electronic machines must meet to continue in operation; repealing the maximum number of electronic machines that the licensee or qualified organization may operate; subjecting an instant bingo machine to a certain tax under certain circumstances; and generally relating to instant bingo on electronic machines.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 12–301
Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 474 of the Acts of the General Assembly of 2008
Section 2

Read the first time and referred to the Committee on Ways and Means.

House Bill 1277 – Delegates Valderrama and V. Turner

AN ACT concerning

Residential Property – Foreclosure – Notice to Occupants

FOR the purpose of requiring a secured party to send a written notice of intent to foreclose on residential property to the occupant of the property before a certain time; requiring the notice to contain certain information; requiring the occupant to be served in a certain manner with a copy of an order to docket or complaint to foreclose on residential property and certain other papers; authorizing service to be effected on an occupant in an alternative manner under certain circumstances; and generally relating to notice to occupants of an action to foreclose on residential property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1278 – Delegates Valderrama, Barnes, Dumais, Kelly, Kramer, Lee, Levi, Ramirez, Rosenberg, Simmons, Vallario, and Waldstreicher

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
(2008 Replacement Volume)

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

House Bill 1279 – Delegate Mizeur

AN ACT concerning

Maryland Medical Assistance Program – Family Planning Services – Eligibility

FOR the purpose of altering the eligibility requirements for family planning services under the Maryland Medical Assistance Program by requiring the Program to provide those services to all women whose family income is at or below a certain percent of the poverty level under certain circumstances; and generally relating to eligibility for family planning services under the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1280 – Delegate Mizeur

AN ACT concerning

Gender Equity Health Coverage Act

FOR the purpose of providing a certain exception to a provision of law allowing the consideration by insurers of actuarial justification with respect to sex under certain circumstances; prohibiting insurers, nonprofit health service plans, and health maintenance organizations from considering sex in determining whether to underwrite a particular risk or class of risks with respect to health insurance offered to individuals; requiring the Maryland Insurance Commissioner to review certain underwriting standards to ensure certain compliance; requiring the Commissioner to adopt regulations to carry out this Act; providing for the application of this Act; and generally relating to underwriting standards for health insurance.

BY adding to
Article – Health – General
Section 19–706(ttt)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 27–501(h–1)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1281 – Delegates Valderrama, Barnes, Dumais, Frank, Kelly, Lee, McConkey, and Simmons

AN ACT concerning

Criminal Law – Voluntary Manslaughter and Involuntary Manslaughter

FOR the purpose of clarifying that the separate crimes of voluntary manslaughter and involuntary manslaughter exist in the State; specifying that the crimes retain their judicially determined meanings; providing for certain penalties; altering certain defined terms; and generally relating to the crimes of voluntary manslaughter and involuntary manslaughter.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)(4)(iv) and 10–916(a)(3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–102, 2–207, 2–303(h)(1)(xi), 4–401(b)(1)(ii), and 14–101(a)(4)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY adding to
Article – Criminal Law
Section 2–207.1
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1282 – Delegate Griffith

AN ACT concerning

Economic Development – Maryland Stadium Authority – Prince George's County Soccer Stadium

FOR the purpose of authorizing the Maryland Stadium Authority to review certain matters and make certain recommendations relating to the Prince George's County Soccer Stadium; authorizing the Authority to acquire by certain means a Prince George's County Soccer Stadium site or an interest in the site; requiring the Authority to transfer certain lease payments to the Prince George's County Soccer Stadium Financing Fund under certain circumstances; providing for the application of certain provisions; requiring the Authority to submit a certain annual report to the Governor and the General Assembly; prohibiting the Board of Public Works from approving an issuance by the Authority of certain bonds under certain circumstances; requiring the Authority, with certain exceptions, to comply with certain requirements to finance certain site acquisition and construction activities; requiring the Authority to provide a financing plan containing certain information to the

fiscal committees of the General Assembly by a certain time; requiring the Authority to obtain the approval of the Board of Public Works for certain matters; requiring the Authority to carry out certain tasks and secure certain agreements containing certain terms to carry out the Authority's duties under this Act; prohibiting the Authority from hiring a contractor for certain purposes without a certain party's approval; prohibiting the Authority from transferring by certain means the Authority's interest in certain property under certain conditions; establishing the Prince George's County Soccer Stadium Financing Fund; providing that the Fund is continuing and nonlapsing; requiring the Authority to use the Fund for certain purposes; providing for the composition of the Fund; authorizing the Authority to pledge or to charge the Fund for certain purposes; requiring the State Treasurer to invest the Fund in a certain way; prohibiting any portion of the Fund from reverting or being credited to the General Fund or any special fund of the State; defining certain terms; and generally relating to the financing and construction of the Prince George's County Soccer Stadium.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–601(k), (x), and (y), 10–613(b), 10–618, 10–620(d), 10–621, 10–625, and 10–628(c)
Annotated Code of Maryland
(2008 Volume)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–620(a)(1) and 10–628(a)
Annotated Code of Maryland
(2008 Volume)

BY adding to
Article – Economic Development
Section 10–601(x), (y), and (z), 10–645, and 10–656
Annotated Code of Maryland
(2008 Volume)

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

House Bill 1283 – Delegates Valderrama, Anderson, Barnes, Carter, Dumais, Frank, Ivey, Jennings, Lee, McComas, Mizeur, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Criminal Law – Sexual Crimes – Definitions

FOR the purpose of altering the definition of "sexual act" to include an act in which a part of an individual's body is used to penetrate certain body parts of another individual; altering the definition of "sexual contact"; and generally relating to definitions relating to sexual crimes.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–301(a)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–301(e) and (f)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1284 – Delegate Harrison

AN ACT concerning

Creation of a State Debt – Baltimore City – Eager Street Affordable Housing Development

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 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; 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 Appropriations.

House Bill 1285 – Delegate Kelly

EMERGENCY BILL

AN ACT concerning

Public Service Commission – Energy Efficiency – Cost Recovery Surcharge Prohibition

FOR the purpose of prohibiting the Public Service Commission, in the implementation of certain energy efficiency and conservation measures required by law, from allowing a gas company or an electric company to impose a surcharge or any other fee in addition to the adopted rate on certain ratepayers for certain purposes; making this Act an emergency measure; and generally relating to cost recovery for energy efficiency and conservation measures.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–211(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–211(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1286 – Delegate Valderrama

AN ACT concerning

Election Law – Statewide Voter Registration List – Removal of Inactive Voters

FOR the purpose of repealing the automatic removal of an inactive voter from the statewide voter registration list when the voter fails to vote for a certain period of time; repealing the automatic removal of a voter from the statewide voter registration list when the voter fails to respond to a confirmation notice and fails to vote for a certain period of time; and generally relating to the automatic removal of voters from the statewide voter registration list.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–502 and 3–503
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1287 – Delegates Ramirez, Ali, Barkley, Benson, Burns, Frush, Gaines, Gutierrez, Haynes, Healey, Howard, Hucker, Ivey, Kaiser, Kirk, Lee, Levi, Manno, Montgomery, Niemann, Oaks, Reznik, Ross, Schuh, Schuler, Stukes, Vaughn, and Waldstreicher

AN ACT concerning

Labor and Employment – Maryland Wage and Hour Law – Criminal Penalties

FOR the purpose of increasing certain criminal penalties for violations of certain wage and hour laws; establishing that each occurrence of a certain violation for a certain period is considered a separate offense; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–428
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1288 – Delegates Ramirez, Ali, Aumann, Barkley, Bronrott, Burns, Cane, Conaway, Davis, Dumais, Feldman, Frush, Glenn, Gutierrez, Haynes, Healey, Heller, Hucker, Ivey, Kaiser, Kirk, Krysiak, Lee, Manno, Mizeur, Murphy, Niemann, Pena–Melnyk, Reznik, Ross, Schuler, Stukes, Taylor, Valderrama, and Vaughn

AN ACT concerning

Labor and Employment – Maryland Wage and Hour Law – Damages

FOR the purpose of allowing an employee to recover certain damages under certain circumstances; requiring a court to allow certain costs against an employer for a certain recovery in a certain action; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–413, 3–415(a), 3–419, and 3–420
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–427
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1289 – Delegate Carr

AN ACT concerning

Public Safety – Regulation of Demolition – Demolition Contractors

FOR the purpose of requiring a demolition contractor to obtain a demolition permit from a certain local designated authority before beginning demolition in the State; requiring a demolition contractor to provide certain information, certain evidence, and, under certain circumstances, a certain plan to the local designated authority in order to obtain a demolition permit; requiring a demolition contractor to comply with certain other requirements of law for demolition permits; requiring a demolition contractor, before demolition begins, to participate in a certain consultation, provide the local designated authority with certain notice, provide certain written notice to certain owners and occupants, provide certain public notice by means of a certain sign, and have the building treated with rodenticide in a certain manner under certain circumstances; prohibiting the use of explosives for demolition by implosion except under certain circumstances; requiring the local designated authority to provide a demolition contractor with certain information in a certain manner about safe demolition or renovation of buildings that contain lead paint or pigment; requiring demolition to begin, and to be completed, within a certain number of days after obtaining a demolition permit; requiring demolition to be performed only during certain hours except under certain circumstances; requiring the removal of debris within a certain time period; requiring the demolition site to be secured in a certain manner; requiring demolition to be performed in a certain manner; requiring a demolition contractor to comply with certain laws and regulations regarding water management, asbestos, oil tanks, and other environmental remediation standards; requiring a certain person to provide certain notice of potential exposure to lead–based paint in a certain manner under certain circumstances; authorizing the local designated authority to suspend or revoke a demolition permit under certain circumstances; requiring a demolition contractor to obtain a new demolition permit in a certain manner under certain circumstances; establishing a certain fine for performing demolition in violation of this Act; providing that this Act does not affect the authority of a local designated authority to enforce certain laws under certain circumstances; defining certain terms; and generally relating to the regulation of demolition and demolition contractors.

BY adding to
Article – Public Safety
Section 12–1201 through 12–1212 to be under the new subtitle "Subtitle 12. Regulation of Demolition and Demolition Contractors"
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1290 – Delegates Rice, Ali, Barve, Bronrott, Carr, Frick, Glenn, Guzzone, Holmes, Hucker, Ivey, Jennings, Manno, Reznik, Robinson, Schuler, Stukes, Taylor, and Valderrama

AN ACT concerning

Environment – Recycling – Public School Plans

FOR the purpose of requiring a county recycling plan to address the collection, processing, marketing, and disposition of recyclable materials from county public schools; requiring a county to submit a revised recycling plan by a certain date; and generally relating to county recycling plans.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1703
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)
(As enacted by Chapter 239 of the Acts of the General Assembly of 2007)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1291 – Delegates Bobo, Carr, Frush, Healey, and Hucker

AN ACT concerning

Natural Resources – No Net Loss of Forest Policy – Forest Conservation Act

FOR the purpose of reducing the threshold acreage of land in a proposed subdivision plan above which the Forest Conservation Act applies; reducing the threshold acreage of forest cut, cleared, or graded above which certain activities no longer qualify as exemptions to the Forest Conservation Act; repealing certain exemptions from the requirements of the Forest Conservation Act for cutting or clearing trees in a public utility right–of–way; limiting a certain exemption from the requirements of the Forest Conservation Act for intrafamily transfers; repealing the authority of a local jurisdiction to waive the requirements of the Forest Conservation Act for certain previously developed and paved areas; authorizing the acquisition of an off–site protective easement for temporarily protected forested areas as a mitigation technique to meet afforestation or reforestation requirements; altering the standard that a person is required to meet to determine whether certain vegetation and areas of land may be disturbed; authorizing the owner of certain preserved forestland to place the forestland into the Forest Conservation and Management Program or under an approved forest management plan; altering the fee–in–lieu contribution to State or local forest conservation funds that is required under certain circumstances; altering the authorized uses of State and local forest conservation funds;

requiring the Department of Natural Resources to submit a report to the General Assembly annually after a certain date on its progress in developing and implementing a no net loss of forest policy in the State; declaring the intent of the General Assembly; making certain stylistic changes; making a technical correction; and generally relating to the Forest Conservation Act and the development and implementation of a no net loss of forest policy.

BY adding to
Article – Natural Resources
Section 5–104
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1602, 5–1603(c)(3), (f), and (g), 5–1604(a), 5–1607(b)(2), (c), and (f), and 5–1610
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1607(e) and 5–1611
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1292 – Delegates Ali, Frick, Rudolph, Taylor, and Vaughn

AN ACT concerning

Consumer Protection – Blacklist Prevention

FOR the purpose of prohibiting a person from including or enforcing certain provisions in certain consumer contracts; requiring a consumer contract to contain a certain statement informing the consumer of the prohibited provisions; providing that a provision included in a consumer contract in violation of certain provisions of this Act is void and unenforceable; permitting certain information to be used to detect or prevent certain fraudulent activity; 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 certain enforcement and penalty provisions; defining certain terms; and generally relating to consumer contracts.

BY adding to
Article – Commercial Law

Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1293 – Delegates Ali and Gutierrez

AN ACT concerning

State Employees Teleworking Act

FOR the purpose of establishing a Teleworking Implementation Program; authorizing certain employees in certain units of State government to participate in a certain program; requiring the Secretary of Budget and Management to establish a telework policy for agencies in the Executive Branch of State government; requiring each agency in the Executive Branch of State government to submit a telework plan to the Department of Budget and Management; specifying the contents of the telework plan; requiring each agency to offer a certain percentage of eligible employees the opportunity to telework by a certain date; requiring an agency to adopt certain regulations and guidelines; requiring the Secretary to annually submit a certain report; and generally relating to the Teleworking Implementation Program.

BY adding to
Article – State Personnel and Pensions
Section 2–801 through 2–805 to be under the new subtitle "Subtitle 8. Teleworking Implementation Program"
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

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

House Bill 1294 – Delegate Ali

AN ACT concerning

Credit and Debit Card Fraud Prevention Act

FOR the purpose of prohibiting a person from accepting a payment by credit card or debit card of a certain amount or more, and under certain circumstances, unless the person verifies the identity of the cardholder by requiring the cardholder to produce a certain government–issued photo identification card; authorizing the Attorney General to initiate a civil action against a person who violates this Act to recover a certain civil penalty for the State; and generally relating to purchases made by credit card and debit card.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1295 – Delegate Mizeur

AN ACT concerning

Kids First Coverage Incentive Act

FOR the purpose of prohibiting a taxpayer from deducting a certain exemption for a dependent child unless the dependent child had health care coverage; providing for certain exceptions; repealing the prohibition on penalizing a taxpayer for not providing certain information or providing certain information that is inaccurate under certain circumstances; making permanent a requirement that the Comptroller, under certain circumstances, send a taxpayer applications and enrollment instructions for the Maryland Medical Assistance Program and the Maryland Children's Health Program; defining a certain term; repealing a certain obsolete provision of law; repealing the termination date for provisions of law relating to the definition of creditable coverage, reporting the presence or absence of health care coverage for a dependent child on the income tax return, and sending applications and enrollment instructions for the Maryland Medical Assistance Program and the Maryland Children's Health Program; providing for a delayed effective date for certain provisions of this Act; and generally relating to health care coverage and income tax exemptions for dependent children.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–211.1
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Chapter 692 of the Acts of the General Assembly of 2008
Section 6

BY adding to
Article – Tax – General
Section 10–211.1(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Ways and Means.

House Bill 1296 – Delegates Mizeur, Bronrott, Carr, Donoghue, and Waldstreicher

AN ACT concerning

Healthy Families Healthy Workplaces Act

FOR the purpose of expanding certain provisions authorizing certain employees to use leave with pay for certain reasons; specifying that certain employees shall accrue a certain minimum earned leave with pay for certain purposes; limiting the number of days of certain earned leave with pay an employee may earn for each calendar year; authorizing certain employees to use the earned leave with pay for certain purposes; requiring the Commissioner of Labor and Industry to adopt certain regulations; authorizing the Commissioner to carry out and enforce certain provisions of law and conduct certain investigations; altering the definition of "employer" to repeal the requirement for a certain minimum number of employees; altering certain other definitions; and generally relating to paid sick leave.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–102(a), 3–103, 3–801, and 3–802
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1297 – Delegates Taylor, Braveboy, Carter, Glenn, Hucker, Ivey, Levi, Ramirez, Rice, V. Turner, and Vaughn

AN ACT concerning

Procurement – Minority Business Enterprises – Prime Contractors

FOR the purpose of requiring the Board of Public Works to adopt regulations that require that the solicitation documents include certain information; requiring the Board also to adopt regulations establishing goals for the participation of certified minority business enterprises as prime contractors, concerning the availability of minority business enterprises to respond competitively as prime contractors for certain procurements; requiring certain units to include information in a certain report to the Governor's Office of Minority Affairs concerning the participation of minority business enterprises as prime contractors or as subcontractors in certain procurements; and generally relating

to the participation of minority business enterprises as prime contractors in State procurements.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303 and 14–305
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1298 – Delegates Taylor, Carr, Holmes, Robinson, and V. Turner

AN ACT concerning

Workers' Compensation Commission – Medical Examinations and Evaluations – Hearings

FOR the purpose of requiring physicians conducting certain medical examinations and evaluations to hold a certain license; prohibiting physicians under this Act from rendering opinions outside their area of expertise; providing that certain medical malpractice laws apply to physicians under this Act; and generally relating to physicians and Workers' Compensation Commission hearings.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–720 and 9–721
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Labor and Employment
Section 9–721.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1299 – Delegate Shank

AN ACT concerning

Criminal Law – Mistreated Animals – Seizure Requirements and Procedures

FOR the purpose of providing that, if the owner or custodian of an animal that is removed from certain property under certain circumstances fails lawfully to

regain possession of the animal within a certain time period, the person who removed the animal may petition the District Court for a certain disposition of the animal; authorizing the seizure and removal of an animal from certain property by a law enforcement officer or humane society officer or agent or the impoundment of the animal on the property if there is probable cause to believe the animal is being mistreated; requiring the local animal control agency or humane society to provide care for an animal impounded on the property; providing for the posting of the property if the animal is seized or impounded; providing for service of notice of impoundment or seizure; providing for the contents of the notice; requiring the owner or custodian to request a court hearing on the seizure or impoundment within a certain period of time; requiring the hearing to be held as soon as practicable; requiring the court to make certain findings before returning an animal to its owner or custodian; providing that the owner or custodian is liable for costs of caring for the animal if the court finds that the seizure or impoundment was justified; providing that the owner or custodian is not liable for certain costs if the court finds the seizure or impoundment was not justified; authorizing an owner of an animal to surrender ownership of the animal at any time to the seizing or impounding agency; providing that an owner's liability for the costs of the animal's care ceases on surrendering ownership; providing that surrender of ownership does not preclude a criminal prosecution and may not be used as a defense to a prosecution; requiring the court to order the posting of a bond to cover the costs of care for the animal if criminal charges are filed; establishing that if an owner or custodian does not post a certain bond within a certain time period, the animal is considered abandoned and ownership shall revert to the impounding agency; providing that the owner or custodian of the animal convicted of a violation of a crime relating to animals is liable for the costs of caring for the animal; altering the period of time during which reasonable effort shall be used to ascertain an unknown owner or custodian of an animal before considering the animal a stray; making conforming changes; and generally relating to animal seizure and impounding requirements and procedures for mistreated animals.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–615
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

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

House Bill 1300 – Delegates Taylor, Braveboy, Carter, Glenn, Haynes, Hucker, Ivey, Levi, Rice, V. Turner, and Vaughn

AN ACT concerning

State Procurement – Small Business Preference Program – Expansion

FOR the purpose of applying the requirements of the Small Business Preference Program to all units of the Executive Branch; and generally relating to the Small Business Preference Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–201
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–202 through 14–208
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1301 – Delegate Taylor

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 $450,000, 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 Appropriations.

House Bill 1302 – Delegate Taylor

AN ACT concerning

Education – Financing – Local Effort Bonus Grant

FOR the purpose of establishing a supplemental grant program to provide certain county boards of education with certain grants; and generally relating to financing education and local effort bonus grants.

BY repealing and reenacting, without amendments,
Article – Education

Section 5–202(a)(1), (2), (5), (6), and (14) and (f)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 5–202(i)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1303 – Delegate Taylor

AN ACT concerning

Vehicle Emissions Inspection Program – Transfer of Ownership of Vehicle

FOR the purpose of requiring certain vehicles that have been in operation for a certain period of time to be inspected and tested in accordance with certain provisions of law governing the Vehicle Emissions Inspection Program within a certain period of time after a transfer of ownership; requiring the Motor Vehicle Administration to adopt certain regulations; and generally relating to the Vehicle Emissions Inspection Program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 23–206
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1304 – Delegates Love, Beidle, V. Clagett, Costa, George, King, Kipke, McConkey, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Alcoholic Beverages Act of 2009

FOR the purpose of altering certain alcoholic beverages license fees in Anne Arundel County; establishing certain hotel–limited service licenses in the county; authorizing the Board of License Commissioners to issue the hotel–limited service licenses to certain persons; providing for the privileges and annual fees for the hotel–limited service licenses; requiring the Board to obtain criminal records of alcoholic beverages license applicants from certain governmental units, require applicants for licenses to be fingerprinted, and forward the

fingerprints to certain governmental units; establishing a certain nonrefundable license renewal fee; authorizing the Board to issue a special outdoor license and a special outdoor entertainment license to holders of certain licenses; providing for the privileges, annual fees, and renewal requirement for special outdoor licenses and special outdoor entertainment licenses; authorizing the Board to employ a part–time deputy chief inspector at a certain annual salary; altering the number of part–time inspectors that the Board may employ; altering the annual salary of the attorney for the Board; adding Anne Arundel County to a list of jurisdictions in which a certain court may remand certain proceedings to the local licensing board; altering the penalty the Board may impose for a violation that is cause for suspension of a license; making certain stylistic changes; defining certain terms; providing for the application of certain sections of this Act; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 1–102(b), 5–101(c)(1), 5–201(c), 5–202(d), 5–301(c), 5–401(c)(1)(i), 6–101(c), 6–201(c), 6–301(c)(2), (5)(ii), (6)(ii), and (7)(ii), 6–401(c)(3), 7–101(b)(2)(i) and (d)(2), 8–202(d)(4)(ii) and (5), (e)(3), (h)(4)(i), and (i)(4)(i), 8–202.1(f), 12–202(a), 15–112(c)(3) and (5)(iii), 16–101(e)(4), and 16–507(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a)(1), 5–101(a)(1), 5–202(b)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–301(a)(1), (c)(1), (5)(i), (6)(i), and (7)(i), 6–401(a)(1) and (c)(1), 7–101(b)(1)(i), 8–202(a), (b)(1) and (2), (e)(1), (h)(3), and (i)(1), 8–202.1(a) and (c)(1), and 15–112(c)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 4–201(b)(7), 8–202(j), 10–103(b)(13)(xv), and 10–301(u)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1305 – Delegate King

AN ACT concerning

Environment – Coal Combustion Byproducts – Department Regulations – Transport and Beneficial Use

FOR the purpose of requiring the Department of the Environment to adopt certain regulations regarding coal combustion byproducts by a certain date; defining certain terms; and generally relating to the regulation of coal combustion byproducts.

BY adding to
Article – Environment
Section 9–281 to be under the new part "Part VII. Coal Combustion Byproducts"
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

House Bill 1306 – Delegates Carter, Anderson, Bobo, and Hucker

AN ACT concerning

Recycling – Restaurants and Bars – Aluminum, Glass, and Plastic Bottles

FOR the purpose of requiring the owners or managers of certain restaurants and bars to recycle aluminum, glass, and plastic bottles generated for disposal; requiring the Department of the Environment to facilitate coordination of certain recycling efforts; authorizing the Department to grant certain exemptions from the requirements of this Act; requiring the Department to adopt certain rules and regulations; authorizing the rules and regulations adopted by the Department to include certain reporting requirements; making certain violations of this Act a misdemeanor, subject to certain fines; and generally relating to recycling requirements for restaurants and bars.

BY adding to
Article – Environment
Section 9–1711
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

House Bill 1307 – Delegates Hucker, Gutierrez, Manno, and Taylor

AN ACT concerning

Health Insurance Requirements – Public Work Contracts

FOR the purpose of requiring that as a condition of certain contracts for certain projects, certain contractors and subcontractors participate in certain health care programs under certain circumstances; requiring that certain contractors and subcontractors provide certain proof of certain participation in health care programs to procuring agencies by a certain day; requiring certain contractors and subcontractors that are unable to participate in certain health care programs to make certain payments to the Maryland Medical Assistance Program; requiring that if certain contractors and subcontractors make certain payments to certain health care programs that are less than certain rates of contribution, the contractors and subcontractors make certain payments to the Maryland Medical Assistance Program; requiring certain contractors and subcontractors to report certain health care payments on certain prevailing wage payroll reports; requiring certain contractors and subcontractors to maintain certain records and allow the Secretary of Labor, Licensing, and Regulation certain access to the records; establishing a certain presumption if certain contractors and subcontractors do not retain or allow certain access to certain records; requiring the Secretary to adopt certain regulations; establishing certain causes of action and penalties; establishing that nothing in this Act be interpreted or applied to create certain powers, duties, or obligations in conflict with or preempted by certain federal or State law; defining certain terms; and generally relating to health insurance requirements for public work contracts.

BY adding to
Article – State Finance and Procurement
Section 17–601 through 17–607 to be under the new subtitle "Subtitle 6. Health Insurance Requirements – Public Work Contracts"
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 5 – Delegates Impallaria, Boteler, Dwyer, George, Jennings, McComas, McConkey, McDonough, Minnick, Serafini, Shewell, Stocksdale, Stull, and Walkup

A House Joint Resolution concerning

Federal Money and Banking

FOR the purpose of urging the United States Congress to restore honest money backed by silver and gold in accordance with the requirements of the United States

Constitution, phase out Federal Reserve notes, and return to the free market banking practices that the Founding Fathers codified in the United States Constitution.

Read the first time and referred to the Committee on Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 8 – Senator Haines

AN ACT concerning

Insurance – Unfair and Deceptive Practices – Limit on Offer, Promise, or Gift of Valuable Consideration Not Specified in a Contract or Policy

FOR the purpose of altering the limit on the value of certain items that an insurer may offer, promise, or give that is not specified in ~~a certain contract~~ certain contracts or policies; and generally relating to insurance and unfair and deceptive practices.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–201
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–209 and 27–212
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 23 – ~~Senator Colburn~~ Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Department of Corrections Employment Applicants – Polygraph Examinations

FOR the purpose of exempting from the prohibition against an employer requiring or demanding, as a condition of employment, that an individual submit to or take a lie detector or similar test, individuals who apply for employment with the Caroline County Detention Center as a correctional officer or for any other position that involves direct personal contact with an inmate in the Center; and generally relating to the Caroline County Detention Center.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702(b)(3)
Annotated Code of Maryland
(2008 Replacement Volume)

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

Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Corporations and Associations – Recording, Filing, or Other Fees – Returned Check Fee

FOR the purpose of imposing a certain fee for nonpayment of a check presented to the State Department of Assessments and Taxation for certain purposes; and generally relating to fees imposed by the State Department of Assessments and Taxation.

BY adding to
Article – Corporations and Associations
Section 1–203(b)(12)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Inflatable Amusement Attractions – Inspections

FOR the purpose of requiring the annual inspection of inflatable amusement attractions; defining a certain term; exempting inflatable amusement attractions from certain inspections; providing that a certificate of inspection for

an inflatable amusement attraction is valid for not more than a certain period of time; and generally relating to the inspection of amusement attractions.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–101 and 3–402
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 119 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Horse Racing Act – Sunset Extension and Program Evaluation

FOR the purpose of extending the date on which the Maryland Horse Racing Act terminates; requiring that an evaluation in accordance with the Maryland Program Evaluation Act (sunset law) be made of the State Racing Commission, the Maryland–Bred Race Fund Advisory Committee, and the Maryland Standardbred Race Fund Advisory Committee and the related statutes and regulations on or before a certain date; exempting the Commission and certain advisory committees from certain evaluation requirements; and generally relating to the Maryland Horse Racing Act.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–1101
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–1102
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a) and 8–404
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government

Section 8–403(b)(37), (56), and (64)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 127 – Senators Brochin, Frosh, and Stone

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality and Eligibility

FOR the purpose of prohibiting the disclosure of the identity or contact information of a certain victim or claimant by the Criminal Injuries Compensation Board; prohibiting a person who has been convicted of certain offenses from receiving a certain award from the Board; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–806 and 11–808(a)
Annotated Code of Maryland
(2008 Replacement Volume)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 61)

ADJOURNMENT

At 11:24 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 16, 2009.

Annapolis, Maryland
Monday, February 16, 2009

The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Steven R. Schuh of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 62)

The Journal of February 13, 2009 was read and approved.

EXCUSES:
Del. Davis – illness
Del. Hecht – personal
Del. Love – personal – husband in hospital
Del. Stull – wife's illness
Del. F. Turner – illness

INTRODUCTION OF BILLS

House Bill 1308 – Delegates Jones, Bromwell, Burns, Cardin, Lafferty, Nathan–Pulliam, and Stein

AN ACT concerning

Creation of a State Debt – Baltimore County – Storyville Children's Learning Center at the Woodlawn Library

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 Foundation for Baltimore County Public Library, 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 and Executive Nominations.

House Bill 1309 – Delegates Frush and Hubbard

AN ACT concerning

Natural Resources – Hunting – Expansion of Safety Zone

FOR the purpose of extending the hunter safety zone, within which certain persons are prohibited from discharging a weapon or hunting or chasing birds or mammals without certain permission, to a certain distance from certain buildings; and generally relating to hunter safety zones.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1310 – Delegates McConkey, V. Clagett, and Love

AN ACT concerning

State Government – Access to Public Records – Photographs

FOR the purpose of requiring the custodian of a public record to give certain applicants access to the public record to make a photograph of the public record under certain circumstances; and generally relating to access to public records.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–620
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1311 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – Good Shepherd 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 House of the Good Shepherd, 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 and Executive Nominations.

House Bill 1312 – Delegates Smigiel and Taylor

AN ACT concerning

Maryland Electricity Reregulation and Energy Independence Act of 2009

FOR the purpose of requiring the Public Service Commission to assemble and evaluate certain plans regarding electric generating needs and the means to meet those needs; requiring the Commission to take final action on an application for a certificate of public convenience and necessity only after a certain consideration of a need to meet certain electric services; making a certain finding and declaration regarding a goal of the State to return to a regulated electric market; requiring that a certain new electric generation facility be owned by a certain electric company or consortium of electric companies; allowing a certain new electric generation facility to be owned by certain entities other than an electric company under certain circumstances; requiring the sale of certain electricity to be offered for sale first to a certain electric company or consortium; providing that the Commission has a certain jurisdiction over a certain electric generation facility; requiring certain persons to enter into a certain contract for the sale of certain electricity; specifying the standards that the Commission must apply in approving a certain contract; requiring the Commission to determine certain times to take a certain action that require a certain electric company or consortium to acquire an existing electric generation facility; requiring the Commission to seek to identify certain opportunities for appropriate times to take a certain action; requiring the Commission to conduct certain proceedings or hearings in evaluating certain costs, risks, and benefits; requiring the Commission to consider certain factors in evaluating a certain acquisition and make a certain finding before taking a certain action; authorizing an owner of a certain electric generation facility to enter into a certain contract under certain circumstances; requiring the Commission to direct electric companies to develop a plan toward meeting a certain goal; requiring the Commission to implement a certain provision of law; defining a certain term; and generally relating to the Public Service Commission and electric generation facilities under rate regulation or contracts.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–201 and 7–207
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–518
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1313 – Delegate Cardin

AN ACT concerning

Campaign Fundraising – Raffle Tickets – Limits

FOR the purpose of altering the maximum limit of the value of the raffle tickets that an individual may purchase in connection with campaign fundraising activity conducted by certain persons; prohibiting the use of cash to purchase raffle tickets exceeding a certain value in connection with campaign fundraising conducted by certain persons; and generally relating to limits on the purchase of raffle tickets in connection with campaign fundraising activity.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–106
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1314 – Howard County Delegation

AN ACT concerning

Howard County – Vehicle Laws – Speed Monitoring Systems

Ho. Co. 6–09

FOR the purpose of adding Howard County as a county authorized to use certain speed monitoring systems to enforce highway speed laws under certain standards and procedures; limiting the use of speed monitoring systems in Howard County to certain highways; establishing a certain maximum fine for a violation of law enforced by means of a speed monitoring system in Howard County; requiring the Chief Judge of the District Court to consult with a certain Howard County agency in adopting certain procedures; 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 Howard County to report on the effectiveness of speed monitoring systems to the General Assembly on or before a certain date; altering a certain definition; prohibiting the Howard County Police Department from utilizing more than a certain number of speed monitoring systems for a certain purpose; requiring the Howard County Police Department, during a certain period, to issue only warning citations to certain motorists and to conduct a public education and awareness campaign regarding the use of speed monitoring systems in Howard County; requiring the Howard County Police Department to submit a certain annual report to the Howard County Delegation to the General Assembly; requiring the Howard County Council to submit a certain report to the General Assembly by a certain date; making this Act contingent on the failure of certain legislation; providing for the termination of this Act; and generally relating to imposition of liability on certain persons recorded by speed monitoring systems violating certain laws regarding the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13), 7–301(a), 7–302(e), and 10–311
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 11–215(e) and 11–318(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–616(o)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 26–305(a) and 26–401
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1315 – Delegates Ramirez, Anderson, Barnes, Bobo, Levi, Rosenberg, Schuler, Smigiel, and Valderrama

AN ACT concerning

Criminal Law – Offensive Physical Contact

FOR the purpose of prohibiting a person from intentionally causing or attempting to cause certain offensive physical contact to an adult or engaging in conduct intending to put an adult in fear of certain offensive physical contact; providing that this Act does not apply to certain physical contact that results in the filing of a certain incident report or petition for relief; making a certain offense subject to certain penalties; and generally relating to offensive physical contact.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–201(c)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–201(d)
Annotated Code of Maryland
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1316 – Delegates Levi, Benson, Gaines, Howard, Hucker, Manno, Pena–Melnyk, Taylor, Valderrama, and Walker

AN ACT concerning

Charter and Code Home Rule Counties – County Employees – Furloughs

FOR the purpose of authorizing a county that has adopted charter or code home rule to provide for the furlough of county employees by ordinance; prohibiting a charter or code home rule county from providing for the furlough of county employees by resolution; and generally relating to the furlough of charter and code home rule county employees.

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 5(Q)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 25B – Home Rule for Code Counties
Section 13
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1317 – Delegate Feldman

AN ACT concerning

Maryland Automobile Insurance Fund – Eligibility for Insurance Coverage – Take–Out Program

FOR the purpose of establishing a take–out program of insurance coverage for certain persons insured under the Maryland Automobile Insurance Fund; providing that certain provisions of law relating to the authority of the Fund to sell, issue, and deliver a certain policy of insurance, and relating to entitlement to certain continuation of coverage from the Fund, are subject to certain provisions of this Act; requiring the Maryland Insurance Commissioner, instead of the Fund, to certify the eligibility of a person for insurance from the Fund; establishing certain qualifications that certain insurers must meet to be included on a certain take–out list; requiring a certain insurer to provide certain notice if it wishes to be included on the take–out list; requiring, under certain circumstances and within a certain period of time, the Commissioner to include a certain insurer on the take–out list and the Fund to include certain information in a certain notice to certain insureds; providing for the removal of a take–out insurer from the take–out list under certain circumstances and in a certain manner; providing that the provisions of this Act are not in effect under certain circumstances; requiring the Commissioner to provide certain notice under certain circumstances when certain provisions of this Act are in effect and when they are not in effect; providing that a person that has been insured continuously by the Fund for a certain number of years is not eligible for

insurance from the Fund except under certain circumstances; requiring the Fund to provide certain notice to certain insureds that have been insured by the Fund for certain periods of time; authorizing a fund producer to place certain coverage with a take–out insurer under certain circumstances; prohibiting a fund producer from binding coverage with a take–out insurer except under certain circumstances; authorizing a take–out insurer to require a fund producer to enter into a certain agreement; authorizing a fund producer to place certain coverage with a take–out insurer without a certain appointment; prohibiting a take–out insurer from refusing to offer certain coverage unless certain conditions are met; prohibiting a take–out insurer from paying a fund producer a commission that is less than a certain amount; authorizing a take–out insurer to pay a fund producer a transfer fee in a certain amount; providing that a certain fund producer shall retain ownership of certain expiration and renewal rights and shall receive a certain commission in a certain amount at each renewal of certain coverage; requiring a take–out insurer that refuses to offer certain coverage, or that offers the coverage, to provide certain notice to the Fund and a certain fund producer; prohibiting the Fund from continuing coverage under certain circumstances for certain take–out candidates unless the Fund has received certain notice; requiring the Commissioner to conduct a certain examination of the Fund to determine certain compliance; exempting certain premiums from a certain premium tax for a certain period of time; defining certain terms; providing for the application of this Act; and generally relating to eligibility for insurance coverage under the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–502 and 20–508
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Insurance
Section 20–521
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1318 – Delegates Robinson, Cane, Healey, and Walker

AN ACT concerning

State Correctional Facility – Release of Inmate – Notice of Voting Rights

FOR the purpose of requiring the Commissioner of Correction to issue a certain document to an inmate before release from a certain State correctional facility to advise the inmate of the inmate's right to register to vote and to vote; making a stylistic change; and generally relating to notice of voting rights for an inmate released from a State correctional facility.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 9–609
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

BY adding to
Article – Correctional Services
Section 9–609.1
Annotated Code of Maryland
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 660	W&M

Read and ordered journalized.

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV

From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 943	APP

Read and ordered journalized.

LINCOLN'S DAY ADDRESS

Dr. Ira Berlin, Department of History
University of Maryland, College Park

First, I would like to congratulate the members of this House for their generosity of spirit, their broadmindedness, and their willingness to forgive and forget since, after all, in 1861 the newly elected Abraham Lincoln suspended the right of habeas corpus and arrested nine members of this distinguished body.

That said, let me turn to our subject, Abraham Lincoln, who famously reminded his fellow Americans that they could not escape history. Now, some 150 years later, as we celebrate the two hundredth anniversary of his birth, it becomes clear that Americans cannot escape Lincoln—be it in the great monument that looms over the National Mall, the money in our pockets, wallets, and purses, the frank on our postal stamps, the documentaries on our televisions, and the books in our libraries—more books than anyone save Jesus Christ. Lincoln's Bible shows up in presidential inaugurals and his countenance on billboards hawking all matters of goods: the names of cars, housing developments, computer games, and children's toys—just to begin. Lincoln sells, even amid economic hard times.

At the beginning of the twenty–first century, Abraham Lincoln is our everyman. He has been described as a poor boy made good and a well–heeled railroad attorney; a brooding, melancholia moralist and a cynical political operative whose ambition—in the words of his law partner—was "a little engine which knew no rest." Politicians from conservatives to communists, civil rights activists to segregationists claim him. Lincoln has been described as a lifelong foe of slavery and an inveterate racist. His youth, temperament, marriage, law career, political practices, and racial attitudes have all been subjected to minute examination.

But Lincoln's importance does not derive from his psychological problems, his inability to relate to women, or even his choice of cabinet members, but from his role in the destruction of slavery and what his experience tells the American people about their greatest dilemma: the matter of race. In this context, Lincoln was—and continues to be—the touchstone of American life. Understanding him becomes a matter of seminal importance, revisited by every generation since his death, including our own.

Who is our Lincoln? For me, Lincoln's significance (and his greatness) lay in his capacity for growth. Not who he was, but who he became or, more accurately, who he made himself. Politically, much of that growth stemmed from his complex relationship with the radicals of his day, black and white abolitionists who infused American life with a belief in racial equality not as a matter of political expediency but as a moral necessity.

On these matters—and as on most others—Lincoln did not consider himself a radical. Until well into the Civil War, Lincoln was not an advocate of immediate abolition. But he knew well the role of radical abolitionists in creating public sentiment hostile to slavery. "Every schoolboy," Lincoln noted in 1858, recognized the names of William Wilberforce and Granville Sharpe, leaders of the earlier struggle to outlaw the Atlantic slave trade, "but who can now name a single man who labored to retard it?" Lincoln was not about to be listed among those who history forgot. On issue after issue—abolition in the nation's capital, wartime emancipation, enlisting black soldiers, amending the Constitution to abolish slavery, allowing some black men to vote—Lincoln occupied positions the radical abolitionists earlier embraced. The destruction of slavery offers an example, as relevant today as in Lincoln's time, of how the combination of an engaged social movement and enlightened leaders can produce progressive social change.

Unlike the abolitionists, most of whom sought to influence the political system from outside, Lincoln was a politician who sought to work from the inside. Lincoln was an early entry into the political arena (running for the Illinois Legislature at age twenty–three), but he spoke only occasionally about slavery during his early career. He did not elaborate his views until the 1850s, when he emerged as a spokesman for the newly created Republican Party, a political organization committed to halting slavery's westward expansion but not slavery's immediate demise.

"I have always hated slavery," Lincoln declared, "I think as much as any abolitionist." Lincoln spoke of slavery as a "monstrous injustice," a threat to the American nation. But he did not share the abolitionist conviction that the moral issue of slavery overrode all others. William Lloyd Garrison burned a copy of the Constitution because of its clauses protecting slavery. But Lincoln declared that he was willing to "crucify [his] feelings" out of "loyalty to the Constitution and the Union." And he did.

Another key difference between Lincoln and abolitionist radicals lay in their ideas respecting race. Abolitionists insisted that once freed, slaves should be recognized as equal members of the Republic. They viewed the struggles against slavery and racism as intimately connected. Lincoln saw them as distinct. Unlike his Democratic opponents in the North, Stephen Douglas, for example (and of course the pro–slavery advocates in the South), Lincoln claimed for black people the natural rights promised by the Declaration of Independence. But, he insisted, these did not necessarily carry with them civil, political, or social equality. Persistently charged with belief in "Negro equality" during his campaign for the Senate against Stephen Douglas in 1858, Lincoln responded that he was not, "nor ever ha[d] been, in favor of making voters or jurors of Negroes, nor of qualifying them to hold office, nor to intermarry with white people." Abolitionists worked tirelessly to repeal Northern laws that relegated black people to second–class citizenship. Lincoln never addressed this question.

Throughout the 1850s and for the first half of the Civil War, Lincoln believed "colonization"—that is, removal of African Americans to a homeland in Africa, the Caribbean or Central America—was the solution to the slavery question. He was not alone in his belief; to the extent white Americans thought about the fate of black Americans, this was perhaps the most widely–held idea. Henry Clay and Thomas Jefferson, the statesmen most revered by Lincoln, promoted it.

Black people, with a few prominent exceptions, bitterly opposed colonization, as did most white abolitionists. They offered an alternative vision of America as a biracial society of equals. At the time of his election as president, however, Lincoln was typical of the majority of white Northerners, who were willing to save the Union yet thought of the Union as essentially a white man's country.

But if Lincoln shared the prevailing prejudices, he insisted that there was a bedrock principle of equality that transcended race: the equal right to the fruits of one's labor. There are many grounds for condemning the institution of slavery: moral, religious, political, economic. Lincoln referred to all of them at one time or another. But ultimately he saw slavery as a form of theft, of one person appropriating the labor of another. Using a black woman as an illustration, he explained the kind of equality in which he believed: "In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands without asking leave of any one else, she is my equal, and the equal of all others."

Shortly before the 1860 election, Frederick Douglass—that greatest of all sons of Maryland—offered a succinct summary of the dilemma confronting opponents of slavery like Lincoln, who worked within the political system rather than outside it. Abstractly, Douglass wrote, most Northerners would agree that slavery was wrong. The challenge was to find a way of "translating antislavery sentiment into antislavery action." The Constitution barred interference with slavery in the states where it already existed. For Lincoln, as for most Republicans, antislavery did not mean attacking slavery where it existed but working to prevent slavery's westward expansion.

Lincoln, however, did talk about a future without slavery. The aim of the Republican Party, he insisted, was to put the institution on the road to "ultimate extinction." Ultimate extinction could take a long time: Lincoln conceded that slavery might survive for another hundred years. Still, to Southern slaveholders, Lincoln seemed as dangerous as any abolitionist radical. This was why his election in 1860 led inexorably to secession and civil war.

The Civil War did not begin as a crusade to abolish slavery. Almost from the start, however, abolitionists pressed its liquidation. As they predicted, very quickly slavery began to disintegrate. Hundreds, then thousands, of slaves ran away to Union lines. Far from the battlefields, slaves challenged their owners. The actions of slaves forced Lincoln to begin to devise policies with regard to slavery.

Faced with this pressure, Lincoln articulated his own ideas. He first proposed gradual, voluntary emancipation coupled with monetary compensation for slaveholders and colonization of freed black people—the traditional approach of politicians critical of slavery but unwilling to challenge the property right of slaveholders. He suggested it to the leaders of Maryland and the three other slave states that remained in the Union. But found no takers. They turned him down flat.

In mid–1862 Congress moved ahead of Lincoln on emancipation: abolition in the District of Columbia (with approximately $300 compensation for each owner); emancipation in the Territories; the Second Confiscation Act of July 1862, which freed all slaves of pro–Confederate owners. Lincoln signed all of these measures, some of them reluctantly.

The nation—led by the radicals in Congress—was moving toward a new policy on slavery, dragging Lincoln along with it. But, during the summer of 1862, the inability of federal armies to fight the Civil War without targeting the economic foundation of Southern society, the need to forestall threatened British recognition of the Confederacy, mounting demands in the North for abolition, and the waning of enthusiasm for military enlistment, which sparked a desire to tap the reservoir of black manpower for the military, forced Lincoln's hand. In September 1862 Lincoln warned the Confederacy to lay down its arms or face a presidential decree abolishing slavery. On January 1, 1863, he issued the Emancipation Proclamation.

Contrary to legend, Lincoln's Emancipation Proclamation did not free four million slaves with a stroke of his pen. A measure whose constitutional legitimacy rested on the war power of the president, the Proclamation had no bearing on slaves in Maryland and the other slave states that remained in the Union. It also exempted certain areas of the Confederacy under Union military control. And of course it had no force in areas under Confederate control. It contained none of the ringing rhetoric for which Lincoln became famous.

Nonetheless, the Emancipation Proclamation sounded the death knell of slavery in the United States. After January 1, 1863, slavery's demise was just a matter of time. In 1864, Maryland abolished slavery, and others would follow.

In his annual message to Congress in December 1862, Lincoln pointed out that crises require Americans to rethink their previous assumptions: "As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country." Lincoln included himself in that "we." The Emancipation Proclamation was markedly different from his previous statements and policies regarding slavery. Emancipation was immediate, not gradual, contained no mention of monetary compensation for slave owners and made no reference to colonization. Instead, it enjoined emancipated slaves to "labor faithfully for reasonable wages" in the United States. It authorized the enrollment of black soldiers into the Union Army. The Proclamation set in motion the process by which 200,000 black men fought for the Union. Putting black men into the military implied a very different vision of their future place in American society than earlier plans for settling freed slaves overseas. There was no reference to colonization.

Lincoln came to emancipation more slowly than the abolitionists. But having made the decision, he did not look back. In 1864, with the war going badly and Union casualties mounting, some urged him to rescind the Proclamation in an effort to persuade the Confederate states to return to the Union. Lincoln rejected this. Were he to do so, he told one visitor, "I should be damned in time and eternity." Indeed, in the last two years of the war, he pressed the border states to take action against slavery and worked to secure Congressional passage of the Thirteenth Amendment. When ratified in 1865, it marked the final destruction of slavery throughout the United States.

Separating emancipation from colonization, Lincoln in effect launched the process known as Reconstruction—the remaking of American society, politics, and race relations. Lincoln for the first time began to rethink of the role black men would play in a postslavery America, as he recognized that the war solved one question (the fate of slavery), but it asked another (what was the role of the emancipated slave in American life).

In his "last speech," delivered at the White House in April 1865 a few days before his assassination, Lincoln announced his support for limited black suffrage in the reconstructed South. He singled out as most worthy the "very intelligent"—educated black men who had been free before the war—and "those who serve our cause as soldiers." Hardly an unambiguous embrace of equality, this was the first time an American president had publicly endorsed any kind of political rights for black men (this at a time when only six Northern states allowed blacks to vote). Lincoln was telling the country that the service of black soldiers entitled them to a voice in the reunited nation.

A month earlier, Lincoln had looked to the future in perhaps his greatest speech of all, the Second Inaugural Address. Today we tend to remember it for its closing words: "with malice toward none, with charity for all . . . let us strive to bind up the nation's wounds." But before that noble ending, Lincoln tried to instruct his fellow countrymen on the historical significance of the war and the unfinished task that lay ahead.

Everybody knew, he noted, that slavery was "somehow" the cause of the war. Yet Lincoln called it "American slavery," not Southern slavery, underscoring the entire nation's complicity. Lincoln then mused about the war as God's punishment for the nation's sin: how God would not be satisfied "until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn by the sword."

In essence, Lincoln was asking Americans to confront the legacy of bondage and to think about the requirements of justice. What is the nation's obligation for those 250 years of unpaid labor? What is necessary to enable the former slaves, their children, and their descendants to enjoy the "pursuit of happiness" he had always insisted was their natural right but that had so long been denied them? Lincoln did not live to provide an answer.

Today we inhabit an entirely different world from Lincoln's. But we are not yet the bi–racial democracy for which the radical abolitionist had pressed and for which Lincoln was groping. The questions raised by emancipation continue to bedevil us as they had bedeviled Lincoln, even with the election of Mr. Obama. As Lincoln said, since our situation is new, we must think anew. The challenge confronting us is to move beyond the powerful symbolism of the recent election toward substantive actions that address the still unfinished struggle for equality. I thank you for your attention.

(This talk is drawn from David Donald, Lincoln; Don E. Fehrenbacher, Prelude to Greatness: Lincoln in the 1850's; Eric Foner, Our Lincoln, New Perspective on Lincoln and His World.)

Delegate O'Donnell moved Dr. Berlin's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 63)

ADJOURNMENT

At 8:49 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 17, 2009.

Annapolis, Maryland
Tuesday, February 17, 2009

The House met at 10:12 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 64)

The Journal of February 16, 2009 was read and approved.

EXCUSES:
Del. Bohanan – left early – meeting with Governor
Del. Conaway – personal
Del. Donoghue – personal
Del. George – funeral
Del. Gutierrez – personal
Del. Hecht – personal
Del. King – business
Del. Love – personal – husband in hospital
Del. Smigiel – business
Del. F. Turner – illness
Del. Walkup – illness

INTRODUCTION OF BILLS

House Bill 1319 – Eastern Shore Delegation

AN ACT concerning

Family Medicine Rural Health Commission

FOR the purpose of creating the Family Medicine Rural Health Commission; providing for the composition and staffing of the Commission; providing that a member of the Commission may not receive compensation but may be reimbursed for certain expenses; specifying the duties of the Commission; authorizing the Commission to seek, accept, and expend certain funds and seek, accept, and use certain services; specifying the terms of the initial members of

the Commission; requiring the Commission to report to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the creation of the Family Medicine Rural Health Commission.

BY adding to
Article – Education
Section 24–701 to be under the new subtitle "Subtitle 7. Family Medicine Rural Health Commission"
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1320 – Delegate Ali

AN ACT concerning

Insurance Payment Fee Prevention Act

FOR the purpose of prohibiting an insurer that issues, sells, or delivers a motor vehicle liability insurance policy in the State from charging or collecting an installment fee; and generally relating to motor vehicle liability insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–216(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1321 – Delegates Conway, Eckardt, Elmore, and Haddaway

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Program – Repeal of Sunset

FOR the purpose of repealing the termination date of provisions of law relating to a Truancy Reduction Pilot Program; clarifying that certain provisions of law relating to a Truancy Reduction Pilot Program apply only in certain counties and under certain circumstances; authorizing a certain school official to file a certain petition with the juvenile court if the court stetted a certain charge; providing for the transfer of certain cases under certain circumstances; requiring the Chief Judge of the Court of Appeals to report to the General

Assembly on each Truancy Reduction Pilot Program on or before a certain date each year; and generally relating to a Truancy Reduction Pilot Program.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–01, 3–8C–04, 3–8C–08, 3–8C–09, and 3–8C–10
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–02, 3–8C–03, 3–8C–05, 3–8C–06, and 3–8C–07
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8C–08 and 3–8C–11
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–301 (a) and (e)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(e–1)
Annotated Code of Maryland
(2008 Replacement Volume)

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 4

BY repealing and reenacting, with amendments,
Chapter 648 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1322 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

Creation of a State Debt – Prince George's County – Harmony Hall Manor

FOR the purpose of authorizing the creation of a State Debt in the amount of $750,000, the proceeds to be used as a grant to the National Parks Service and the Board of Directors of the Broad Creek Historic District 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 Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Joint Resolution 7 – The President, the Majority Leader, and the Minority Leader

A Senate Joint Resolution concerning

In Celebration of the 200th Anniversary of the Birth of Abraham Lincoln

FOR the purpose of celebrating the 200th anniversary of the birth of Abraham Lincoln.

Read the first time and referred to the Committee on Rules and Executive Nominations.

THE COMMITTEE ON ENVIRONMENTAL MATTERS REPORT #1

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 59 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Well Drillers – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 62 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 67 – Delegates Feldman and Bronrott

AN ACT concerning

Vehicle Laws – Rules of the Road – Use of Signals When Changing Lanes

Favorable report adopted.

Delegate McDonough moved to make the Bill a Special Order for February 18, 2009.

The motion was adopted.

Delegate McIntosh, Chair, for the Committee on Environmental Matters reported favorably:

House Bill 224 – Allegany County Delegation

AN ACT concerning

Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Sunset Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #1

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 9 – Delegates Waldstreicher and McComas

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalties

HB0009/962716/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 9
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "circumstances;" insert "providing that the jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case in which a person is charged with a second or subsequent offense of possession of child pornography;"; and after line 14, insert:

"BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–301 and 4–302(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)".

AMENDMENT NO. 2

On page 2, after line 25, insert:

"Article – Courts and Judicial Proceedings

4–301.

(a) Except as provided in §§ 3–803, 3–8A–03, and 4–302 of this article, the District Court has exclusive original jurisdiction in a criminal case in which a person

at least 16 years old or a corporation is charged with violation of the vehicle laws, or the State Boat Act, or regulations adopted pursuant to the vehicle laws or State Boat Act.

(b) Except as provided in § 4–302 of this subtitle, the District Court also has exclusive original jurisdiction in a criminal case in which a person at least 18 years old or a corporation is charged with:

(1) Commission of a common–law or statutory misdemeanor regardless of the amount of money or value of the property involved;

(2) Violation of § 7–104, § 7–105, § 7–107, or § 7–108 of the Criminal Law Article, whether a felony or a misdemeanor;

(3) Violation of a county, municipal, or other ordinance, if the violation is not a felony;

(4) Criminal violation of a State, county, or municipal rule or regulation, if the violation is not a felony;

(5) Doing or omitting to do any act made punishable by a fine, imprisonment, or other penalty as provided by the particular law, ordinance, rule, or regulation defining the violation if the violation is not a felony;

(6) Violation of § 8–103 of the Criminal Law Article, whether a felony or a misdemeanor;

(7) Violation of §§ 8–203 through 8–209 of the Criminal Law Article, whether a felony or misdemeanor;

(8) Forgery or violation of Title 8, Subtitle 6 of the Criminal Law Article, whether a felony or misdemeanor;

(9) Violation of Title 27, Subtitle 4 of the Insurance Article, whether a felony or a misdemeanor;

(10) Violation of § 9–1106 of the Labor and Employment Article;

(11) Violation of § 8–301 of the Criminal Law Article, whether a felony or misdemeanor;

(12) Violation of § 2–209 of the Criminal Law Article;

(13) Violation of Title 2, Subtitle 5 of the Criminal Law Article;

(14) Violation of Title 11, Subtitle 5 of the Financial Institutions Article;

(15) Violation of §§ 10–604 through 10–608 of the Criminal Law Article, whether a felony or misdemeanor;

(16) Violation of Title 7, Subtitle 3, Part III of the Criminal Law Article, whether a felony or misdemeanor;

(17) Violation of § 20–102 of the Transportation Article, whether a felony or misdemeanor;

(18) Violation of § 8–801 of the Criminal Law Article;

(19) Violation of § 8–604 of the Criminal Law Article;

(20) Violation of Title 8, Subtitle 2, Part II of the Criminal Law Article;

(21) Violation of §§ 16–801 through 16–804 of the Election Law Article;

(22) Violation of § 3–203(c) of the Criminal Law Article; **[**or**]**

(23) VIOLATION OF § 11–208 OF THE CRIMINAL LAW ARTICLE AS A SECOND OR SUBSEQUENT OFFENSE; OR

[(23)**] (24)** Violation of § 11–303(b) of the Criminal Law Article.

4–302.

(a) Except as provided in § 4–301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), **[**and**]** (23)**, AND (24)** of this subtitle, the

District Court does not have jurisdiction to try a criminal case charging the commission of a felony.

(d) (1) Except as provided in paragraph (2) of this subsection, the jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case:

(i) In which the penalty may be confinement for 3 years or more or a fine of $2,500 or more; or

(ii) That is a felony, as provided in § 4–301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), **[**and**]** (23)**, AND (24)** of this subtitle.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a circuit court does not have jurisdiction to try a case charging a violation of § 5–601 or § 5–620 of the Criminal Law Article.

(ii) A circuit court does have jurisdiction to try a case charging a violation of § 5–601 or § 5–620 of the Criminal Law Article if the defendant:

1. Properly demands a jury trial;

2. Appeals as provided by law from a final judgment entered in the District Court; or

3. Is charged with another offense arising out of the same circumstances that is within a circuit court's jurisdiction.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 45 – Delegate Kullen

AN ACT concerning

Crimes – Tattooing, Branding, and Body Piercing – Parental Consent

HB0045/252216/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 45
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Crimes –"; strike beginning with "guilty" in line 6 down through "is" in line 7; and in line 7, strike "fines" and substitute "civil penalties".

AMENDMENT NO. 2

On page 2, strike beginning with "**GUILTY**" in line 20 down through "**IS**" in line 21; and in line 21, strike "**FINE**" and substitute "**CIVIL PENALTY**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Shank moved to make the Bill a Special Order for February 19, 2009.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 258 – Delegates Simmons, Waldstreicher, Dumais, Kramer, and Lee

AN ACT concerning

Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties

HB0258/492318/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 258
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "crime" insert "in a residence".

AMENDMENT NO. 2

On page 2, in line 18, after "**CRIME**" insert "**IN A RESIDENCE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 267 – Delegate King

AN ACT concerning

Family Law – Child Abduction by Relative

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 282 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Adult Public Guardianship Review Board – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 65)

ADJOURNMENT

At 10:33 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 18, 2009.

Annapolis, Maryland
Wednesday, February 18, 2009

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tanya T. Shewell of Carroll County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 66)

The Journal of February 17, 2009 was read and approved.

EXCUSES:
Del. Cane – illness
Del. Donoghue – illness
Del. Doory – illness
Del. Oaks – funeral

INTRODUCTION OF BILLS

House Bill 1323 – Delegate Holmes

AN ACT concerning

Real Property – Mobile Home Parks – Resident and Park Owner Rights

FOR the purpose of requiring a mobile home park owner to maintain security deposits in certain accounts of certain financial institutions; imposing certain requirements for the accounts; prohibiting security deposits under mobile home park resident leases from being attached by certain creditors under certain circumstances; imposing certain requirements for the return and withholding of security deposits under certain circumstances; requiring certain rent escrow procedures to be followed in certain actions between a mobile home park owner and a resident; authorizing a court to grant certain relief to a mobile home park owner if certain service was made on a resident under certain circumstances; providing that acceptance of certain payments by a mobile home park owner is not a waiver of certain rights; providing that when a mobile home park owner consents to a certain resident remaining on the premises, the resident becomes a month–to–month resident under certain circumstances; providing for the

distribution of certain payments under certain circumstances; establishing certain procedures to be followed in wrongful detainer actions between a mobile home park owner and a resident; authorizing a mobile home park owner to bring an action for summary ejectment against a deceased resident under certain circumstances; defining a certain term; making stylistic changes; and generally relating to mobile home park owners' and residents' rights.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–1001, 8A–1702, and 8A–1703
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

BY adding to
Article – Real Property
Section 8A–1503, 8A–1704, and 8A–1705
Annotated Code of Maryland
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1324 – Delegates Stukes, Conaway, Haynes, Kirk, Robinson, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Academy of Success Community Empowerment Center

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 Academy of Success, 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 and Executive Nominations.

House Bill 1325 – Delegate Stukes

AN ACT concerning

Education – Unexcused Student Absence – Repayment of State Costs

FOR the purpose of requiring certain persons to reimburse the Department of Education the amount of certain costs of education under certain circumstances; requiring the Department to transfer the reimbursements to the Comptroller for deposit in a certain dedicated fund; establishing an Unexcused Student Absence Dedicated Fund; establishing the purpose, administration, sources, and uses of the Fund; providing that expenditures from the Fund may be made only in accordance with the State budget; and generally relating to the repayment of certain costs by certain persons for unexcused student absences.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(1), (5), (8), and (12) and 7–301(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY adding to
Article – Education
Section 7–301.1
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1326 – Frederick County Delegation

AN ACT concerning

Frederick County – State's Attorney – Annual Salary

FOR the purpose of altering the annual salary of the State's Attorney for Frederick County; providing that this Act does not apply to the salary or compensation of the incumbent State's Attorney; and generally relating to the State's Attorney for Frederick County.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 15–411(a)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–411(b)(1)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1327 – Delegates Pena–Melnyk, Barnes, and Frush

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 not to exceed $50,000, 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 and Executive Nominations.

House Bill 1328 – Delegates Cardin, Bromwell, Lafferty, Morhaim, Olszewski, Schuler, and Stein

AN ACT concerning

Baltimore County – Income Tax – Biotechnology Investment Credit

FOR the purpose of authorizing Baltimore County to allow, by law, an individual to claim a credit against the county income tax for certain investments in certain qualified Maryland biotechnology companies; requiring the governing body of Baltimore County to specify the qualifications for eligibility, the conditions of certification, and the process of application for the credit and to provide for the amount of the credit; authorizing the county to limit the credit to only investments in companies located in the county; authorizing the county to cap the amount of credits issued for any taxable year; authorizing the county to make the credit refundable; authorizing the county to provide for the recapture of the credit; requiring the county to notify the Comptroller if the credit is authorized; providing for the application of this Act; and generally relating to the authority of Baltimore County to authorize a credit against the county income tax for investments in certain biotechnology companies.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–725
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1329 – Delegate Stocksdale

AN ACT concerning

State Aid for Education – Full–Time Equivalent Enrollment – Calculation

FOR the purpose of altering the definition of "full–time equivalent enrollment" in the calculation of certain State aid for education; providing for the application of this Act; and generally relating to the determination of full–time equivalent enrollment in the calculation of certain State aid for education.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–202(a)(1), (2), (5), (8), (12), and (13) and (b)
Annotated Code of Maryland
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(a)(6)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1330 – Delegate Conway

AN ACT concerning

Creation of a State Debt – Community Development Administration – Local Government Infrastructure Financing Program

FOR the purpose of authorizing the creation of State Debt in the total principal amount up to $2,000,000, the proceeds to be used as grants or loans to the Community Development Administration of the Department of Housing and Community Development to replenish certain capital reserve funds created

under the Local Government Infrastructure Financing Program; providing for disbursement of the loan proceeds; stating the intent of the General Assembly that certain bonds only be issued under certain circumstances; stating the intent of the General Assembly that this bond authorization is excluded from the Capital Debt Affordability limit; stating the intent of the General Assembly that the Administration reimburse, within a certain number of years, the Annuity Bond Fund for the principal and interest costs for the debt authorized under this Act; authorizing the Comptroller to advance certain funds under certain circumstances; exempting this Act from a certain termination provision under the State Finance and Procurement Article; making this Act contingent on the taking effect of another Act; and generally providing for the issuance and sale of bonds evidencing the Local Government Infrastructure Financing Program Capital Reserve Fund Loan of 2009.

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1331 – Delegate Conway

AN ACT concerning

Community Development Administration – Local Government Infrastructure Financing Program – Capital Reserve Funds

FOR the purpose of authorizing the Community Development Administration to establish certain capital reserve funds in connection with the financing of certain infrastructure projects; providing that money of a fund may be used only to pay the principal of, and premium and interest on, certain debt obligations of the Administration secured by the fund; providing that a capital reserve fund may consist of certain money; providing that if the balance in a capital reserve fund is below a certain amount, the Administration may not use the money in the fund for certain purposes and shall replenish the fund in a certain manner; requiring the Administration to request the Comptroller to advance certain funds to replenish the capital reserve fund under certain circumstances; prohibiting the Administration, except under certain circumstances, from issuing certain bonds, notes, or other obligations if issuing the bonds, notes, or other obligations would result in the capital reserve fund falling below a certain requirement; defining certain terms; making this Act contingent on the taking effect of another Act; and generally relating to the authority of the Community Development Administration to establish capital reserve funds and issue certain bonds, notes, and other obligations.

BY adding to
Article – Housing and Community Development
Section 4–233.1
Annotated Code of Maryland
(2006 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1332 – Delegates Hixson and Levy

EMERGENCY BILL

AN ACT concerning

Maryland Transportation Authority – Toll Rate Increases

FOR the purpose of prohibiting the Maryland Transportation Authority from implementing a toll rate increase on certain transportation facilities during a certain fiscal year; prohibiting the Authority from imposing, for a certain fiscal year, a toll rate increase exceeding a certain percentage on certain vehicles; requiring the Authority to phase in any toll increase for a certain fiscal year according to a certain schedule; encouraging the Authority to hold public hearings with certain persons during a certain period prior to imposing toll rate increases that are to take effect after a certain fiscal year; making this Act an emergency measure; and generally relating to toll rate increases by the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 4–312
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1333 – Delegates Walker, Benson, Bohanan, Cane, Feldman, Guzzone, Haynes, Healey, Howard, Impallaria, Ivey, Lafferty, Levi, Olszewski, Pena–Melnyk, Proctor, Rice, Schuh, Serafini, Taylor, and Valderrama

AN ACT concerning

Supplemental Retirement Plans – Investment Options

FOR the purpose of requiring the Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans to provide participants in the State supplemental retirement plans certain investment options; defining certain terms; and generally relating to investment options for participants in the State supplemental retirement plans.

BY adding to
Article – State Personnel and Pensions
Section 35–303
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1334 – Delegates Harrison and Glenn

AN ACT concerning

Baltimore City Charter – East Baltimore Community Benefits District

FOR the purpose of authorizing the Mayor and City Council of Baltimore to establish by ordinance the East Baltimore Community Benefits District to provide certain services; authorizing the Mayor and City Council to establish the East Baltimore Community Benefits District Authority to provide certain services; requiring a certain ordinance to provide the method for establishing certain boundaries; requiring a certain ordinance to specify certain taxes; providing for the appointment of officers and board members of the East Baltimore Community Benefits District; requiring a certain financial plan to be subject to approval by the Baltimore City Board of Estimates; providing certain limitations, powers, and duties of the East Baltimore Community Benefits District Authority; requiring the Mayor and City Council to take certain matters into consideration when enacting certain ordinances; prohibiting the Mayor and City Council from authorizing certain reductions in services; providing for the reversion of unspent funds under a certain condition; placing a certain condition on a certain ordinance taking effect; and generally relating to the establishment of the East Baltimore Community Benefits District.

BY adding to
The Charter of Baltimore City
Article II – General Powers
Section (65)
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1335 – Delegates Niemann, Barnes, and Ramirez

AN ACT concerning

Vehicle Laws – Driving While License Refused, Suspended, Canceled, or Revoked – Penalty

FOR the purpose of altering certain provisions relating to driving a motor vehicle while a license or privilege to drive issued by this State or any other state is refused, suspended, canceled, or revoked; establishing that a certain offense is not a moving violation for purposes of assessing certain points; providing that in a certain prosecution certain records shall be prima facie evidence of certain facts; providing that the introduction of certain records does not preclude the introduction of certain other evidence; altering certain penalties for certain offenses relating to driving a motor vehicle while a license or privilege to drive issued by this State or any other state has been refused, suspended, canceled, or revoked; making certain technical corrections; and generally relating to driving while a license or privilege to drive has been refused, suspended, canceled, or revoked.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–303, 16–404(c)(2), 16–404.1(b)(3) and (4), and 27–101(c) and (h)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY repealing
Article – Transportation
Section 16–402(a)(11) and (30)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY adding to
Article – Transportation
Section 27–101(cc)
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

BY renumbering
Article – Transportation
Section 16–402(a)(12) through (29) and (31) through (37), respectively
to be Section 16–402(a)(11) through (28) and (29) through (35), respectively
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1336 – Delegates Braveboy, Griffith, Pena–Melnyk, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Minority Business Enterprise Program – Report to Joint Committee on Fair Practices

FOR the purpose of requiring each unit of the State to submit a certain report regarding the Minority Business Enterprise Program to the Joint Committee on Fair Practices within a certain number of days after the end of the fiscal year; and generally relating to the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–305
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1337 – Delegate Branch

AN ACT concerning

Family Law – State Citizens Review Board for Children and Local Boards of Review – Duties

FOR the purpose of altering the cases required to be reviewed by the State Citizens Review Board for Children and local boards of review for children in out–of–home care; requiring the State Board to tabulate certain results and submit them to the Department of Human Resources; altering the requirements for certain community forums; altering the frequency of certain case reviews by local boards; altering the findings and recommendations required to be included in certain reports; repealing a requirement that a local board explain a certain finding; repealing a provision authorizing certain case reviews to include certain questions; and generally relating to the State Citizens Review Board for Children and local boards of review.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–539.1 and 5–545
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1338 – Delegates Levi and Manno

AN ACT concerning

Charter and Code Home Rule Counties – Furlough of County Employees – Public Safety Officers

FOR the purpose of authorizing a county that has adopted charter or code home rule to provide for the furlough of county employees; prohibiting a charter or code home rule county from imposing a furlough on certain employees under certain conditions; and generally relating to the furlough of charter and code home rule county employees.

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 5(Q)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article 25B – Home Rule for Code Counties
Section 13
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1339 – Delegate Heller

AN ACT concerning

Task Force to Study Issues Relating to Medical Marijuana in Maryland

FOR the purpose of establishing the Task Force to Study Issues Relating to Medical Marijuana in Maryland; providing for the composition and chair of the Task Force; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing that members of the Task Force may not receive certain compensation but are entitled to certain reimbursement for certain expenses; requiring the Task Force to study certain issues regarding medical marijuana in the State and to make certain recommendations; requiring the Task Force to submit 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 the Task Force to Study Issues Relating to Medical Marijuana in Maryland.

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1340 – Delegates Norman, Niemann, Ali, Anderson, Bartlett, Boteler, Carr, Carter, V. Clagett, Frush, Glenn, Holmes, James, Lafferty, McComas, McConkey, Riley, Robinson, Serafini, Sossi, Stein, and Stull

AN ACT concerning

Courts – Bankruptcy – Unsecured Creditor Homestead Exemption

FOR the purpose of authorizing an individual to claim a certain exemption in a certain bankruptcy proceeding; providing that the exemption may be for a certain amount in an individual's interest in owner–occupied, residential real property; prohibiting an individual from claiming the exemption under certain conditions; limiting the exemption to apply to claims by unsecured creditors; prohibiting both a husband and wife from claiming the exemption in the same proceeding; making conforming changes; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504
Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1341 – Delegate Kipke

AN ACT concerning

Vehicle Laws – Uninsured Motorists – Waiver of Right to Noneconomic Damages

FOR the purpose of establishing that an individual driving a motor vehicle that is not covered by insurance is considered to have waived the right to recover noneconomic loss damages under certain circumstances; exempting certain individuals from the waiver under certain circumstances; creating a rebuttable presumption that an individual knows or has reason to know that the motor vehicle is not covered by insurance under certain circumstances; defining a certain term; making stylistic changes; making technical changes; providing for the termination of certain provisions of this Act; and generally relating to operating a motor vehicle that does not have insurance coverage.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–107

Annotated Code of Maryland
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 11 – Chair, Anne Arundel County Senators

AN ACT concerning

Anne Arundel County Tourism and Economic Development Promotion Act of 2009

FOR the purpose of requiring Anne Arundel County to impose a hotel tax at a certain rate; requiring Anne Arundel County to distribute certain revenue from the hotel tax to certain organizations and to the county's general fund; requiring certain organizations to report to the Anne Arundel County Executive and to the members of the General Assembly representing Anne Arundel County; making a technical correction; repealing an obsolete provision; and generally relating to the Anne Arundel County hotel tax.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–602
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 61 – Chair, Finance Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Port Administration – Jurisdiction, Powers, and Duties

FOR the purpose of expanding the Maryland Port Administration's jurisdiction to include certain inland properties or facilities; authorizing the Administration to exercise its powers and duties at certain inland properties or facilities; and generally relating to the jurisdiction, powers, and duties of the Maryland Port Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 6–103(a)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Alcoholic Beverage Tax – Assessment and Appeals – Tax Procedures and Penalties

FOR the purpose of establishing a certain administrative appeals process for persons or governmental units against which an assessment of alcoholic beverage tax has been made by the Comptroller; authorizing the Comptroller or the Comptroller's designee to issue an order decreasing or abating an alcoholic beverage tax assessment under certain circumstances; altering a certain penalty for failure to pay alcoholic beverage tax when due; and generally relating to alcoholic beverage tax assessments and appeals.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–508(a) and (c), 13–509(a), and 13–701(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 13–701(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 133 – Senators Forehand and Miller

AN ACT concerning

~~**Task Force to Study Changes to the Automotive Warranty Enforcement Act**~~

Consumer Protection – Automotive Warranty Enforcement Act – Warranty Period

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;~~ altering the definition of "manufacturer's warranty period" for purposes of the Automotive Warranty Enforcement Act to extend the warranty period; and generally relating to motor vehicles and motor vehicle warranty enforcement.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1501(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1501(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 376 – Senator Middleton

AN ACT concerning

Charles County – Workers' Compensation – Auxiliary Volunteer of Sheriff's Office

FOR the purpose of establishing that each auxiliary volunteer of the Charles County Sheriff's Office is a covered employee while performing work assigned by the Sheriff of the county; specifying the computation of the average weekly wage of a certain auxiliary volunteer; and generally relating to workers' compensation coverage of volunteers in the Charles County Sheriff's Office.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–233 and 9–602(j)
Annotated Code of Maryland
(2008 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #3

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 160 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Fraudulent Acts – Insurance Producers and Adjusters

HB0160/773891/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 160
(First Reading File Bill)

On page 1, in line 5, after "or" insert "a public"; and in line 17, after "or" insert "**A PUBLIC**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 161 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Company Action Level Events – Property and Casualty Insurers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 245 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Declaration of Trust and Bylaws

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 378 – Delegate Feldman

AN ACT concerning

Corporations – Corporate Documents, Fractional Shares, and Redemption of Stock

HB0378/383192/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 378
(First Reading File Bill)

On page 3, in line 13, after "(c)" insert "**(1)**"; in line 16, strike "the following conditions are met"; in lines 17 and 19, strike "(1)" and "(2)", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 19, strike "is given"; in line 20, strike "that"; in lines 21, 23, and 24, strike "(i)", "(ii)", and "(iii)", respectively, and substitute "**1.**", "**2.**", and "**3.**", respectively; in line 21, strike "shareholder's" and substitute "**STOCKHOLDER'S**"; and in lines 26 and 29, strike "(3)" and "(4)", respectively, and substitute "**(2)**" and "**(3)**", respectively.

On page 4, in line 4, strike "(5)" and substitute "**(4)**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 498 – Delegate Feldman

AN ACT concerning

Professional Service Corporations – Corporate Names – Approval by Professional Organizations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #1

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 20 – Delegate Sophocleus

AN ACT concerning

Intellectual Disability (Rosa's Law)

HB0020/476489/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 20
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Sophocleus" and substitute "Delegates Sophocleus, Barkley, Beidle, Benson, Bromwell, Carr, G. Clagett, Conaway,Costa, Donoghue, Elliott, George, Hammen, Hecht, Howard, Hubbard, Jameson, Kach, Kipke, Krebs, Kullen, Love, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Rice, Riley, Robinson, Shewell, Tarrant, V. Turner, Weldon, and Wood".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 51 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 52 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Relations – Cross–References and Corrections

HB0052/576780/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 52
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert "correcting a certain error in provisions of law relating to remedies available in a certain civil action;"; and in line 6, after "cross–references" insert "and corrections".

On page 2, after line 15, insert:

"BY repealing and reenacting, without amendments,
Article – State Government
Section 20–1013(d)
Annotated Code of Maryland

(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1013(e)
Annotated Code of Maryland
(As enacted by Chapter ____ (H.B. 51) of the Acts of the General Assembly of 2009)".

AMENDMENT NO. 2
On page 5, after line 27, insert:

"20–1013.

(d) If the court finds that a discriminatory act occurred, the court may provide the remedies specified in § 20–1009(b) of this subtitle.

(e) **(1)** In addition to the relief authorized under subsection (d) of this section, the court may award punitive damages, if:

[(1)**]** **(I)** the respondent is not a governmental unit or political subdivision; and

[(2)**]** **(II)** the court finds that the respondent has engaged in or is engaging in an unlawful employment practice with actual malice.

(2) IF THE COURT AWARDS PUNITIVE DAMAGES, THE SUM OF THE AMOUNT OF COMPENSATORY DAMAGES AWARDED TO EACH COMPLAINANT UNDER SUBSECTION (D) OF THIS SECTION AND THE AMOUNT OF PUNITIVE DAMAGES AWARDED UNDER THIS SUBSECTION MAY NOT EXCEED THE APPLICABLE LIMITATION ESTABLISHED UNDER § 20–2009(B)(3) OF THIS SUBTITLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0052/236883/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 52, AS AMENDED

On page 2 of the Health and Government Operations Committee Amendments (HB0052/576780/1), in line 13 of Amendment No. 2, strike "**20–2009(B)(3)**" and substitute "**20–1009(B)(3)**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 70 – Delegate Morhaim

AN ACT concerning

Department of Health and Mental Hygiene – Commissions, Programs, and Reports – Revision

HB0070/446682/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 70
(First Reading File Bill)

On page 1, in the sponsor line, strike "Delegate Morhaim" and substitute "Delegates Morhaim, Hammen, Pendergrass, Benson, Bromwell, Donoghue, Elliott, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 76 – Delegates Nathan–Pulliam, Benson, Burns, Costa, Hubbard, Kipke, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon

AN ACT concerning

Hepatitis C Virus – Public Awareness and Outreach – Repeal of Sunset

HB0076/136981/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 76
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Repeal of Sunset" and substitute "Sunset Extension"; and in line 3, strike "repealing" and substitute "extending".

AMENDMENT NO. 2

On page 1, in lines 13 and 16, in each instance, strike the bracket; in line 13, strike "3" and substitute "7"; strike beginning with "and" in line 13 down through "months" in line 14; and in line 14, strike "December 31, 2009" and substitute "June 30, 2013".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 93 – Delegate Costa

AN ACT concerning

Mortality and Quality Review Committee – Sunset Repeal

HB0093/286187/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 93
(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike "Repeal" and substitute "Extension and Membership"; in line 3, strike "repealing" and substitute "altering the membership of the Mortality and Quality Review Committee; extending"; and after line 7, insert:

"BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–804(a)(8)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)".

AMENDMENT NO. 2

After line 12, insert:

"Article – Health – General

5–804.

(a) The Committee shall consist of 18 members appointed by the Secretary, including the following:

(8) The Deputy Secretary of **[**Public Health**]** **BEHAVIORAL HEALTH AND DISABILITIES** or the Deputy Secretary's designee;".

AMENDMENT NO. 3

In lines 15 and 17, in each instance, strike the bracket; in line 15, in each instance, strike "3" and substitute "6"; and in line 16, strike "September 30, 2009" and substitute "December 31, 2012".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 109 – Delegate Wood

AN ACT concerning

Health – Issuance of Birth Certificates – Surviving Spouse

HB0109/676687/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 109
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Wood" and substitute "Delegates Wood, Montgomery, and Riley"; strike beginning with "requiring" in line 3 down through "request;" in line 4; in line 5, strike "certain birth certificates" and substitute "a certified or abridged copy of a birth certificate"; in line 6, strike ", death, and marriage"; after line 7, insert:

"BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2008 Supplement)";

and in line 10, strike "(a) and".

AMENDMENT NO. 2

On page 1, in lines 18 and 19, in each instance, strike the bracket.

On pages 1 and 2, strike beginning with "**, TO**" in line 21 on page 1 down through "**SUBTITLE**" in line 8 on page 2.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 119 – Delegate Hubbard

EMERGENCY BILL

AN ACT concerning

Children's Products Containing Lead – Modifications

HB0119/536483/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 119
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hubbard" and substitute "Delegates Hubbard and Montgomery"; in line 6, after "apply;" insert "clarifying the manufacturers and importers that are required to perform certain testing; clarifying the children's products to be tested to determine whether they are lead–containing products;".

AMENDMENT NO. 2

On page 3, in line 16, after "A" insert "**UNITED STATES**"; in the same line, after "manufacturer" insert "**, OR IF THE MANUFACTURER IS NOT A UNITED STATES MANUFACTURER, THE IMPORTER OF RECORD,**"; in the same line, after "product" insert "**FOR WHICH A CHILDREN'S PRODUCT CERTIFICATION IS REQUIRED UNDER FEDERAL LAW**".

AMENDMENT NO. 3

On page 4, in line 16, strike "**SECOND HAND**" and substitute "**SECONDHAND**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Shank moved to make the Bill a Special Order for February 20, 2009.

The motion was adopted.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 127 – Delegates Pena–Melnyk, Benson, Costa, Howard, Hubbard, Kullen, Levi, Nathan–Pulliam, Reznik, Riley, Tarrant, V. Turner, Waldstreicher, and Weldon

AN ACT concerning

Death Certificate – Correction – Notice of Right to Appeal Denial

HB0127/126885/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike the second "a" and substitute "certain"; in the same line, strike "certificate" and substitute "certificates".

AMENDMENT NO. 2

On page 2, in line 14, after "**CERTIFICATE**" insert "**THAT IS COMPLETED BY THE CHIEF MEDICAL EXAMINER**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, 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:

House Bill 67 – Delegates Feldman and Bronrott

AN ACT concerning

Vehicle Laws – Rules of the Road – Use of Signals When Changing Lanes

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT ADOPTED.

FLOOR AMENDMENT

HB0067/313126/1

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 67
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "manner;" insert "providing that a violation of this Act is not a moving violation for certain purposes;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 6, inclusive, and substitute:

"(c) **[**A person may not, if**]** **IF** any other vehicle might be affected by the movement, **[**turn a vehicle until he**]** **UNLESS A PERSON** gives an appropriate signal in the manner required by this subtitle**, THE PERSON MAY NOT:**

(1) TURN A VEHICLE; OR

(2) MOVE IT RIGHT OR LEFT ON A ROADWAY IN ORDER TO CHANGE LANES.";

and after line 19, insert:

"**(G) A VIOLATION OF SUBSECTION (C)(2) OF THIS SECTION IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING POINTS UNDER § 16–402 OF THIS ARTICLE.**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 33 Negative – 101 (See Roll Call No. 67)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 68)

ADJOURNMENT

At 10:49 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 19, 2009.