

**Journal of Proceedings**  
of the  
**House of Delegates**  
of  
**Maryland**

**2011 Regular Session**

**Volume I**

Compiled and edited by:

Sylvia Siegert  
Journal Clerk  
Chief Clerk's Office

...

Mary Monahan  
Chief Clerk

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**Annapolis, Maryland**  
**Wednesday, January 12, 2011**  
**Twelve O'clock Noon**

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STATE OF MARYLAND, To Wit:

This being the day prescribed by Article III, Section 14 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 2011 Session, called the House to order and led the Pledge of Allegiance to the Flag.

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

The Chief Clerk, in accordance with Article I, Section 9, directed that the members–elect be called and qualified. The members–elect were qualified by the Chief Clerk in the presence of each other taking the Oath of Office prescribed by the Constitution and inscribed the same in the Testbook of the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 1)

**EXCUSES:**

Del. Bromwell – left early – personal

Del. Clagett – out of country

Del. Stifler – left early – daughter's illness

Members having answered to their names, the Chief Clerk announced 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 the Baltimore County nominated Delegate Adrienne A. Jones of Baltimore County for the office of Speaker Pro Tem.

Delegate Conway of the Eastern Shore seconded the nomination.

Delegate Bohanan of Southern Maryland moved that the nominations be closed.

Delegate Holmes of Prince George'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 called for Delegate Summers of Prince George's County and Delegate Branch of Baltimore City to 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 Valderrama of Prince George's County seconded the nomination.

Delegate Branch of Baltimore City moved the nominations be closed.

Delegate Feldman of Montgomery County 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 of Anne Arundel County and Delegate Griffith of Prince George's County escort the Speaker–Elect to the Rostrum.

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 Governor Martin O'Malley

Remarks by Lt. Governor Anthony G. Brown

Remarks by U.S. Senator Barbara Mikulski

Remarks by U.S. Senator Ben Cardin

**ORDER**

JANUARY 12, 2011

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 12, 2011

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 2011:

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 12, 2011

ORDERED By the House of Delegates of Maryland, that the Monies Appropriated for the Expenses of this Regular Session of 2011 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 12, 2011

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 2011, 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.

### ORDER

JANUARY 12, 2011

ORDERED By the House of Delegates of Maryland, the the Rules of the House of Delegates in Effect at the End of the Regular Session of 2010 be Adopted for the Regular Session of 2011.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### APPOINTMENTS

JANUARY 12, 2011

BY THE SPEAKER OF THE HOUSE:



RESOLVED, That the Honorable Kumar P. Barve of Montgomery County be Appointed as Majority 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 Assistant Majority 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 Brian J. Feldman of Montgomery County be Appointed Parliamentarian.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

## APPOINTMENTS

JANUARY 12, 2011

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

### APPROPRIATIONS:

CHAIRMAN      Honorable Norman H. Conway of the Eastern Shore  
VICE-CHMN.    Honorable James E. Proctor, Jr. of Prince George's County

### ECONOMIC MATTERS:

CHAIRMAN      Honorable Dereck E. Davis of Prince George's County  
VICE-CHMN.    Honorable David D. Rudolph of Cecil County

### ENVIRONMENTAL MATTERS:

CHAIRMAN      Honorable Maggie McIntosh of Baltimore City  
VICE-CHMN.    Honorable James E. Malone, Jr. of Baltimore County

### HEALTH AND GOVERNMENT OPERATIONS:

CHAIRMAN      Honorable Peter A. Hammen of Baltimore City  
VICE-CHMN.    Honorable Shane E. Pendergrass of Howard County

### JUDICIARY:

CHAIRMAN      Honorable Joseph F. Vallario, Jr. of Prince George's County  
VICE-CHMN.    Honorable Kathleen M. Dumais of Montgomery County

WAYS & MEANS:

CHAIRMAN      Honorable Sheila E. Hixson of Montgomery County  
VICE-CHMN.    Honorable Samuel I. Rosenberg of Baltimore City

RULES & EXECUTIVE NOMINATIONS:

CHAIRMAN      Honorable Hattie N. Harrison of Baltimore City  
VICE-CHMN.    Honorable Rudolph C. Cane of the Eastern Shore

COMMITTEE ON PROTOCOL:

CHAIRMAN      Honorable Mary Ann Love of Anne Arundel County

CONSENT CALENDAR:

CHAIRMAN      Honorable Kumar P. Barve of Montgomery County

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

**MESSAGE TO THE SENATE**

January 12, 2011

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, Lee and McHale.

BY ORDER,  
Mary Monahan  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

January 12, 2011

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 Garagiola 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.

**INTRODUCTION OF BILLS**

**House Bill 1 – Delegate Davis**

AN ACT concerning

**Education – Youth Athletes – Concussions**

FOR the purpose of requiring county boards of education and the Maryland Public Secondary Schools Athletic Association jointly to establish certain guidelines and develop certain forms to educate certain coaches, youth athletes, and parents and guardians regarding the evaluation and management of concussions and head injury; requiring certain information sheets to be signed by certain persons; requiring the removal from play of certain athletes under certain circumstances; prohibiting the return to play of certain athletes under certain circumstances until certain conditions are met; requiring certain youth sports programs to provide certain statements of compliance to certain county boards of education; granting certain immunity to volunteer health care providers under certain circumstances; defining certain terms; and generally relating to the establishment of guidelines for the evaluation and management of concussions and head injury.

BY adding to

Article – Education

Section 7–432

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 2 – Delegate V. Turner**

AN ACT concerning

#### **Elections – Candidates – Filing Fees**

FOR the purpose of altering the amount of the filing fees for candidates for certain public offices; altering the amount of the filing fees received by the State Board of Elections from candidates for statewide office that are distributed to certain local boards of elections; and generally relating to filing fees for candidates for certain public offices.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 5–401 and 5–403

Annotated Code of Maryland

(2010 Replacement Volume)

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

### **House Bill 3 – Delegate Valderrama**

AN ACT concerning

#### **Pharmacies – Taking Back and Disposing of Unused Drugs**

FOR the purpose of requiring certain pharmacies to take back and dispose of certain drugs in accordance with certain guidelines; and generally relating to pharmacies and the taking back of and the disposal of certain drugs.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–403(b)(19) and (20)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations  
Section 12–403(b)(21)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 4 – Delegate Hubbard**

AN ACT concerning

**Public Health – Containers Manufactured with Bisphenol–A – Prohibition**

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain cans, jars, or other containers containing a certain amount of bisphenol–A if the cans, jars, or other containers contain a liquid, food, or beverage intended primarily for consumption by a child under a certain age; prohibiting the manufacture, sale, or distribution of sports water bottles containing bisphenol–A; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; and generally relating to containers and bisphenol–A.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 24–304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 5 – Delegate V. Turner**

AN ACT concerning

**Election Law – Days of Early Voting**

FOR the purpose of altering the days on which early voting centers are open before regularly scheduled primary and general elections; and generally relating to the days on which early voting occurs.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 6 – Delegate V. Turner**

AN ACT concerning

**Elections – Political Outdoor Signs – Removal and Destruction**

FOR the purpose of altering the number of days after an election within which an outdoor sign that advertises a candidate or the support or defeat of a proposition must be removed; authorizing the government of a county or municipality to remove and destroy certain political outdoor signs that are not removed within a certain time period; authorizing the government of a county or municipality to charge certain individuals for the cost of removing and destroying certain political outdoor signs; and generally relating to the removal and destruction of political outdoor signs.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–714  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 7 – Delegate Davis**

AN ACT concerning

**Income Tax – Subtraction Modification and Tax Credit – Interest on Loans to Enterprise Zone Businesses**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for interest income from certain loans made to certain business entities located in an enterprise zone; providing that the subtraction modification is not allowed if the lender has an equity or other ownership interest in the business entity; allowing a credit against the State income tax in a certain amount of interest income from certain residential mortgage loans; requiring a lender to reduce the principal of a certain loan by the amount of the credit allowed within a certain number of days after an income tax return is filed; and generally relating to a subtraction modification and tax credit for certain loans to businesses or the owners of businesses located in an enterprise zone.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a) and 10–307(a)  
Annotated Code of Maryland

(2010 Replacement Volume)

BY adding to

Article – Tax – General  
Section 10–207(y) and 10–729  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–307(g)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 8 – Delegate Smigiel**

### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Eminent Domain – Condemnation Proceedings and Limitation on Condemnation Authority**

FOR the purpose of proposing an amendment to the Maryland Constitution to prohibit the condemnation of private property for certain purposes if the property is intended to be transferred to a private person; requiring that a certain issue in a condemnation proceeding be tried by a jury under certain circumstances; making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department  
Section 40 through 40C and 61(a)

BY proposing an amendment to the Maryland Constitution

Article XI–B – City of Baltimore – Land Development and Redevelopment  
Section 1

BY proposing an amendment to the Maryland Constitution

Article XI–C – Off–Street Parking  
Section 1

BY proposing an amendment to the Maryland Constitution

Article XI–D – Port Development  
Section 1

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

**House Bill 9 – Delegate Smigiel**

AN ACT concerning

**Regulated Firearms – License Issued by Delaware, Pennsylvania, or Virginia  
– Reciprocity**

FOR the purpose of specifying that a license issued by Delaware, Pennsylvania, or Virginia to an individual to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(p)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to  
Article – Public Safety  
Section 5–117.1  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 10 – 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 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 11 – Delegate Cardin**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Defense Force**

FOR the purpose of making certain members of the Maryland Defense Force eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Defense Force unless the Maryland Defense Force maintains certain records and provides certain reports; providing for the application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Defense Force.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–208(i–1)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 12 – Delegate Beitzel**

AN ACT concerning

**Procurement – Employee Uniforms and Equipment – Place of Manufacture**

FOR the purpose of prohibiting a public employer, under certain circumstances, from knowingly buying, furnishing, or requiring an employee to buy or acquire for use while on duty certain uniforms and other equipment unless the uniforms or other equipment are manufactured in the United States; requiring the Board of Public Works to adopt certain regulations; providing for the application of this

Act; defining a certain term; and generally relating to the procurement of employee uniforms and equipment.

BY adding to

Article – State Finance and Procurement

Section 14–411

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 13 – Delegate Stukes**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Carroll Park Heritage Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Carroll Park Restoration 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 14 – Delegate Smigiel**

AN ACT concerning

#### **Health Insurance – Medically Underserved Areas and Populations – Reimbursement for Covered Services Rendered by Telemedicine**

FOR the purpose of requiring certain health insurance carriers to reimburse a licensed health care provider for a covered service rendered by telemedicine to an insured or enrollee in a medically underserved area or population; requiring a covered service rendered by telemedicine to be reimbursed at a certain rate; making certain provisions of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; and generally relating to health insurance reimbursement for covered services rendered by telemedicine in medically underserved areas and populations.

BY adding to

Article – Insurance

Section 15–138  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 15 – Delegate Smigiel**

AN ACT concerning

#### **Health Insurance – Participation in Health Insurance Systems and Plans – Freedom of Choice**

FOR the purpose of establishing that, notwithstanding certain provisions of law, a person has the right to choose to participate in a private health insurance system or a private health insurance plan; establishing that, notwithstanding certain provisions of law and subject to a certain exception, a person has the right to pay for lawful medical services without interference, and a penalty, tax, fee, or fine of any type may not be imposed on a person that declines to contract for health insurance coverage or to participate in a particular health insurance system or plan; providing for the construction of this Act; and generally relating to participation in private health insurance systems and plans.

BY adding to

Article – Insurance  
Section 15–138  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 16 – Delegate Smigiel**

AN ACT concerning

#### **Task Force to Study the Use of Telemedicine in Medically Underserved Populations and Areas**

FOR the purpose of establishing the Task Force to Study the Use of Telemedicine in Medically Underserved Populations and Areas; providing for the membership and staffing of the Task Force; requiring the Governor, when making certain appointments, to consult with certain members of the Senate of Maryland; providing for the designation of 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; specifying the duties of the Task Force; requiring the Task Force to make a certain report to the Governor and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Use of Telemedicine in Medically Underserved Populations and Areas.

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

### **House Bill 17 – Delegate Smigiel**

AN ACT concerning

#### **Department of Health and Mental Hygiene – Use of Federal Funds – Priority for Medically Underserved Areas**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to give priority to medically underserved areas, as designated by a certain federal administration, when using certain federal funds received by the Secretary; and generally relating to the use of federal funds by the Secretary of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 2–104(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 18 – Delegate Smigiel**

AN ACT concerning

#### **Health – Abortions – Reporting Requirements**

FOR the purpose of requiring a physician who performs an abortion in the State to report the abortion to the Department of Health and Mental Hygiene; requiring the report to be submitted within a certain time period and to include certain

information; prohibiting the report from including certain identifying information; and generally relating to the reporting of information about abortions.

BY adding to

Article – Health – General

Section 20–217 to be under the new part “Part V. Reporting Requirements”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 19 – Delegate Smigiel**

AN ACT concerning

#### **Health – Abortions – Location of Procedure**

FOR the purpose of providing that if an abortion procedure is begun in the State, the entire abortion procedure must be performed in the State; providing that a patient may be transported across state lines during an abortion procedure under certain circumstances; and generally relating to the location of abortion procedures.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–208

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 20 – Delegate Smigiel**

AN ACT concerning

#### **Health – Abortion – Transport of Patient**

FOR the purpose of providing that a patient requiring transport during an abortion procedure may be transported under certain circumstances and shall be transported by ambulance; defining a certain term; and generally relating to the transport of patients during an abortion procedure.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–208  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 21 – Delegates Cane, Eckardt, and Haddaway**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Replica Choptank River Lighthouse**

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 Choptank River Lighthouse 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; 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 22 – Delegate Smigiel**

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 2010 Supplement)

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

**House Bill 23 – Delegates Eckardt and Beidle**

AN ACT concerning

**Freestanding Ambulatory Care Facilities – Licensing – Abortion Services**

FOR the purpose of altering the definition of “ambulatory surgical facility” as it pertains to licensing to include entities that provide abortion through the use of surgical services; altering the definition of “surgical services” to include the use of certain instruments; and generally relating to licensing of freestanding ambulatory care facilities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–3B–01  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 1 – Delegate Smigiel**

A House Joint Resolution concerning

**Maryland Sovereignty Under the Tenth Amendment to the Constitution of the United States**

FOR the purpose of demanding that the federal government halt its practice of assuming powers and imposing mandates on the states of the United States for purposes not enumerated under the Constitution of the United States.

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

**MESSAGE FROM THE EXECUTIVE**

GOVERNOR MARTIN O’MALLEY – 2010 RECESS APPOINTMENT  
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit A of Appendix II)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 2)

**ADJOURNMENT**

At 12:49 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 13, 2011.



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**Annapolis, Maryland**  
**Thursday, January 13, 2011**

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

Prayer by Delegate Keith E. Haynes of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 3)

The Journal of January 12, 2011 was read and approved.

**EXCUSES:**

Del. Clagett – out of country  
Del. Hucker – late – business meeting  
Del. Pena–Melnyk – personal  
Del. Stukes – late – business meeting

**INTRODUCTION OF BILLS**

**House Bill 24 – Delegate O’Donnell**

AN ACT concerning

**Agriculture – Sludge – Timing of Winter Application**

FOR the purpose of requiring the Department of Agriculture to adopt regulations establishing criteria for the timing of the winter application of sludge that are the same as or substantially similar to the criteria adopted for the timing of the winter application of animal manure; and generally relating to the timing of the winter application of sludge.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 8–803.1(e) and (f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 8–804(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 25 – Delegate O’Donnell**

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  
(2010 Replacement Volume)  
(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  
(2010 Replacement Volume)

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 26 – Delegate O’Donnell**

AN ACT concerning

**Education Funding Formula – Average Daily Attendance**

FOR the purpose of requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; defining certain terms; providing for the application of this Act; and generally relating to the calculation of education aid for primary and secondary education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–122(b)(2) and 5–202(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 27 – Delegate O’Donnell**

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  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 28 – 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

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 29 – Delegates McConkey and Love**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – Carroll Field Puglise Stadium Field Lights**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Arundel Boosters 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.

## **APPOINTMENTS**

January 13, 2011

RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED BY THE MINORITY LEADER:

Minority Leader, The Hon. Anthony J. O'Donnell  
Minority Whip, The Hon. Jeannie Haddaway-Riccio  
Assistant Minority Leader, The Hon. Nancy R. Stocksdale  
Assistant Minority Whip, The Hon. Steven R. Shuh  
Chief Deputy Whip, The Hon. William J. Frank

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

The Hon. Susan W. Krebs  
The Hon. Susan L. M. Aumann  
The Hon. Andrew A. Serafini  
The Hon. Don H. Dwyer, Jr.  
The Hon. Tony McConkey  
The Hon. Donna M. Stifler

Read and ordered journalized.

### QUORUM CALL

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

(See Roll Call No. 4)

### ADJOURNMENT

At 10:30 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 14, 2011.

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**Annapolis, Maryland**  
**Friday, January 14, 2011**

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

Prayer by Delegate Tony McConkey of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 5)

The Journal of January 13, 2011 was read and approved.

**EXCUSES:**

Del. Aumann – family death  
Del. Bohanan – personal  
Del. Braveboy – funeral  
Del. Burns – funeral  
Del. Cane – business – meeting  
Del. Cardin – personal  
Del. Davis – funeral  
Del. Griffith – funeral  
Del. Harrison – doctor’s appointment  
Del. Jones – business  
Del. McIntosh – surgery  
Del. Morhaim – business – legislative conference  
Del. Vaughn – funeral

**APPOINTMENTS**

JANUARY 14, 2011

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING COMMITTEE APPOINTMENTS:

**APPROPRIATIONS COMMITTEE**

Hon. Norman H. Conway, Chairman  
Hon. James E. Proctor, Jr., Vice-Chairman  
Hon. Susan L. M. Aumann  
Hon. Gail H. Bates

Hon. Wendell R. Beitzel  
Hon. John L. Bohanan, Jr.  
Hon. Galen R. Clagett  
Hon. Steven J. DeBoy, Sr.  
Hon. Adelaide C. Eckardt  
Hon. Tawanna P. Gaines  
Hon. Melony G. Griffith  
Hon. Ana Sol Gutierrez  
Hon. Guy J. Guzzone  
Hon. Keith E. Haynes  
Hon. Mary–Dulany James  
Hon. Adrienne A. Jones  
Hon. Tony McConkey  
Hon. Heather R. Mizeur  
Hon. Barbara A. Robinson  
Hon. Theodore J. Sophocleus  
Hon. Nancy R. Stocksdale  
Hon. Kathryn Y. Szeliga  
Hon. Mary L. Washington  
Hon. John F. Wood, Jr.  
Hon. Craig J. Zucker

#### **ECONOMIC MATTERS COMMITTEE**

Hon. Dereck E. Davis, Chairman  
Hon. David D. Rudolph, Vice–Chairman  
Hon. Charles E. Barkley  
Hon. Benjamin Barnes  
Hon. Aisha N. Braveboy  
Hon. Emmett C. Burns, Jr.  
Hon. Brian J. Feldman  
Hon. Jeannie Haddaway–Ricchio  
Hon. Hattie N. Harrison  
Hon. Stephen S. Hershey, Jr.  
Hon. Tom Hucker  
Hon. Richard K. Impallaria  
Hon. Sally Y. Jameson  
Hon. Benjamin F. Kramer  
Hon. Mary Ann Love  
Hon. Brian K. McHale  
Hon. Warren E. Miller  
Hon. Joseph J. Minnick  
Hon. John A. Olszewski, Jr.  
Hon. Steven R. Schuh  
Hon. Kelly Schulz  
Hon. Donna M. Stifler  
Hon. Michael L. Vaughn

**ENVIRONMENTAL MATTERS COMMITTEE**

Hon. Maggie McIntosh, Chairman  
Hon. James E. Malone, Jr., Vice–Chairman  
Hon. Pamela G. Beidle  
Hon. Elizabeth Bobo  
Hon. Rudolph C. Cane  
Hon. Alfred C. Carr, Jr.  
Hon. Barbara A. Frush  
Hon. James W. Gilchrist  
Hon. Cheryl D. Glenn  
Hon. Anne Healey  
Hon. Patrick Hogan  
Hon. Marvin E. Holmes, Jr.  
Hon. Jay A. Jacobs  
Hon. Stephen W. Lafferty  
Hon. Herb McMillan  
Hon. Doyle L. Niemann  
Hon. H. Wayne Norman  
Hon. Anthony J. O’Donnell  
Hon. Charles J. Otto  
Hon. Shane Robinson  
Hon. Dana M. Stein  
Hon. Cathleen M. Vitale  
Hon. Michael H. Weir, Jr.  
Hon. C.T. Wilson

**HEALTH AND GOVERNMENT OPERATIONS COMMITTEE**

Hon. Peter A. Hammen, Chairman  
Hon. Shane E. Pendergrass, Vice–Chairman  
Hon. Eric M. Bromwell  
Hon. Robert A. Costa  
Hon. Bonnie L. Cullison  
Hon. John P. Donoghue  
Hon. Donald B. Elliott  
Hon. William J. Frank  
Hon. James W. Hubbard  
Hon. Wade Kach  
Hon. Ariana Kelly  
Hon. Nicholas R. Kipke  
Hon. Susan W. Krebs  
Hon. Patrick L. McDonough  
Hon. Dan K. Morhaim  
Hon. Peter F. Murphy  
Hon. Shirley Nathan–Pulliam  
Hon. Nathaniel T. Oaks  
Hon. Joseline A. Pena–Melnyk  
Hon. Justin D. Ready



Hon. Kirill Reznik  
Hon. Shawn Z. Tarrant  
Hon. Veronica L. Turner

**JUDICIARY COMMITTEE**

Hon. Joseph F. Vallario, Jr., Chairman  
Hon. Kathleen M. Dumais, Vice–Chairman  
Hon. Tiffany T. Alston  
Hon. Curtis S. Anderson  
Hon. Sam Arora  
Hon. Jill P. Carter  
Hon. Luke H. Clippinger  
Hon. John W. E. Cluster, Jr.  
Hon. Frank M. Conaway, Jr.  
Hon. Donald Dwyer, Jr.  
Hon. Michael Hough  
Hon. Kevin Kelly  
Hon. Susan C. Lee  
Hon. Susan K. McComas  
Hon. Michael A. McDermott  
Hon. Keiffer J. Mitchell, Jr.  
Hon. Neil C. Parrott  
Hon. Luiz R. S. Simmons  
Hon. Michael D. Smigiel, Sr.  
Hon. Kris Valderrama  
Hon. Geraldine Valentino–Smith  
Hon. Jeffrey D. Waldstreicher

**WAYS & MEANS COMMITTEE**

Hon. Sheila E. Hixson, Chairman  
Hon. Samuel I. Rosenberg, Vice–Chairman  
Hon. Kathryn L. Afzali  
Hon. Kumar P. Barve  
Hon. Joseph C. Boteler, III  
Hon. Talmadge Branch  
Hon. Jon S. Cardin  
Hon. Mark N. Fisher  
Hon. C. William Frick  
Hon. Ron George  
Hon. Glen Glass  
Hon. Carolyn J. B. Howard  
Hon. Jolene Ivey  
Hon. Anne R. Kaiser  
Hon. Eric G. Luedtke  
Hon. Aruna Miller  
Hon. LeRoy E. Myers, Jr.  
Hon. Justin D. Ross

Hon. Andrew A. Serafini  
Hon. Melvin L. Stukes  
Hon. Michael Summers  
Hon. Frank S. Turner  
Hon. Jay Walker

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

### INTRODUCTION OF BILLS

#### **House Bill 30 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

#### **Creation of a State Debt – Talbot County – Chesapeake Bay Maritime Museum Bulkhead Replacement**

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 Governors of the Chesapeake Bay Maritime 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 31 – Delegates Rosenberg and Cardin**

AN ACT concerning

#### **Voter’s Rights Protection Act of 2011**

FOR the purpose of authorizing the Attorney General or a registered voter to institute an action in a circuit court for injunctive relief when a person has engaged in, or there is reason to believe a person is about to engage in, certain violations of election law; requiring a circuit court to hear and determine an action filed under this Act as soon as practicable; providing that the grant of a remedy under this Act does not preclude any other remedy available under State or federal law; providing that a circuit court shall have jurisdiction of any proceeding instituted under this Act; requiring a circuit court to exercise its jurisdiction without regard to whether a person asserting a right under this Act has exhausted any other remedy available under law; and generally relating to the availability of injunctive relief for certain election law violations.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 16–1003  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 32 – Delegates Rosenberg and Hubbard**

AN ACT concerning

#### **Medical Treatment – Homeless, Abandoned, and Runaway Youth**

FOR the purpose of providing that a minor has the same capacity as an adult to consent to medical treatment if the minor is homeless, abandoned, or a runaway, is at least a certain age, and is certified as homeless, abandoned, or a runaway by a certain individual; and generally relating to medical treatment for homeless, abandoned, and runaway youth.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 33 – Delegates McConkey, George, Kipke, Love, and Sophocleus**

AN ACT concerning

#### **Anne Arundel County – Nonprofit Charter Schools – Property Tax Credit**

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on real property leased to a nonprofit charter school and used exclusively for primary or secondary educational purposes; authorizing the governing body of Anne

Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a partial property tax credit if only a part of real property is leased to a nonprofit charter school and used exclusively for primary or secondary educational purposes; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; providing for the application of this Act; and generally relating to a property tax credit in Anne Arundel County for real property leased to nonprofit charter schools.

BY adding to

Article – Tax – Property

Section 9–303(b)(4)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 34 – Delegates Malone and Aumann**

AN ACT concerning

#### **Commission to Study the Impact of Immigrants in Maryland – Sunset Extension**

FOR the purpose of altering the date on which a certain report by the Commission to Study the Impact of Immigrants in Maryland is due; extending the termination date of the Commission; clarifying language; and generally relating to the Commission to Study the Impact of Immigrants in Maryland.

BY repealing and reenacting, with amendments,

Chapter 553 of the Acts of the General Assembly of 2008

Section 1 and 2

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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 6)

### **ADJOURNMENT**

At 11:20 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 17, 2011.

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**Annapolis, Maryland**  
**Monday, January 17, 2011**

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The House met at 8:04 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Aisha N. Braveboy of Prince George's County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 7)

The Journal of January 14, 2011 was read and approved.

**EXCUSES:**

Del. Bobo – personal – family  
Del. Burns – personal – family illness  
Del. Davis – personal – family  
Del. DeBoy – illness – flu  
Del. Dwyer – father's surgery  
Del. Harrison – medical  
Del. Impallaria – illness  
Del. K. Kelly – illness  
Del. McMillan – business  
Del. Stein – illness  
Del. Walker – illness

**INTRODUCTION OF BILLS**

**House Bill 35 – Delegates McConkey and Vitale**

AN ACT concerning

**Family Law – Child Support – Definition of Actual Income**

FOR the purpose of excluding certain wages received from overtime work or a second job from the definition of “actual income” for the purposes of calculating child support; and generally relating to child support.

BY repealing and reenacting, with amendments,  
Article – Family Law

Section 12–201(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 12–201(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 36 – Delegate Kach**

AN ACT concerning

#### **State Board of Podiatric Medical Examiners – Unannounced Inspections**

FOR the purpose of requiring the State Board of Podiatric Medical Examiners to conduct certain inspections of certain offices of podiatrists against whom a certain complaint has been filed with the Board to determine compliance with the Centers for Disease Control and Prevention’s guidelines on universal precautions; and generally relating to unannounced inspections of the office of a podiatrist.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–205(b)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 37 – Delegates Carr, Pena–Melnyk, Barnes, Beidle, Hucker, Lafferty, Mizeur, and Niemann**

AN ACT concerning

#### **State Government – Access to Public Records – Electronic Documents**

FOR the purpose of requiring a custodian of a public record to provide certain applicants with a copy of the public record in a certain electronic format under certain circumstances; authorizing a custodian to remove certain metadata from certain documents; providing for the construction of certain provisions of this Act; clarifying that a certain act does not constitute creating, compiling, or programming a new public record; authorizing a custodian to charge an

applicant a certain fee for producing a copy of a public record in an electronic format under certain circumstances; defining a certain term; and generally relating to access to public records.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–611, 10–620, and 10–621  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 38 – Delegates Waldstreicher, Branch, Dumais, Feldman, Frick, Hixson, Howard, Kaiser, Kipke, Luedtke, A. Miller, Myers, Rosenberg, Ross, Stein, Summers, Tarrant, V. Turner, and Walker**

AN ACT concerning

**Nonpublic Schools Accepting State Funds – Bullying, Harassment, and Intimidation – Policies**

FOR the purpose of requiring nonpublic schools that accept State funds to adopt a policy prohibiting bullying, harassment, and intimidation by a certain date; requiring the policy to include certain provisions; encouraging a nonpublic school to develop the policy in consultation with certain groups; encouraging a nonpublic school to publicize the policy in a certain manner; encouraging a nonpublic school to develop certain educational programs in its efforts to prevent bullying, harassment, and intimidation; providing that certain nonpublic school employees who report acts of bullying, harassment, or intimidation are not civilly liable under certain circumstances; providing that this Act may not be construed to limit the legal rights of a victim of bullying, harassment, or intimidation; defining certain terms; and generally relating to policies prohibiting bullying, harassment, and intimidation in nonpublic schools that accept State funds.

BY adding to  
Article – Education  
Section 7–424.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 39 – Delegates Conway and McDermott**

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 2010 Supplement)

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

**House Bill 40 – Delegate Feldman**

AN ACT concerning

**Joint Committee on Workers' Compensation Benefit and Insurance  
Oversight – Membership**

FOR the purpose of increasing the membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to include a certain member; repealing obsolete provisions; making stylistic changes; and generally relating to membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–10A–03  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**MARTIN LUTHER KING, JR. DAY ADDRESS**

DELEGATE SHAWN Z. TARRANT  
Baltimore City

Thank you Mr. Speaker

Good evening. It is an honor to address my colleagues on the 25th Anniversary of Dr. Martin Luther King Jr. Holiday. I would like to thank the Black Caucus for the

opportunity to be the chosen speaker. I am pleased to have my mother here tonight with my wife, Daughter Kayla, son Shawn Jr. my pastor Dr. Alvin Hathaway and other family members and friends. Good evening to all in attendance. Special thanks to University of Maryland law Professor Larry Gibson for helping me prepare for tonight's address. What a privilege it is to have this opportunity to pay tribute to a great freedom fighter—Dr. Martin Luther King, Jr.—whose work helped to make this state and nation a better place for all of us to live.

I will address the rightful place that Maryland holds in Civil Rights history. Maryland's greatest contributions to the Civil Rights movement are in the area of ending discrimination in education. I intentionally choose to frame this tribute to Dr. King around education because of how influential it is in all parts of our lives. A recent study released from the Centers for Disease Control highlighted the strong association between one's education and one's longevity. In other words, the more education you have, the longer you will live.

Tonight we will focus on Maryland's educational system's many firsts in Civil Rights in American history that paved the way for other states. Maryland's educational system had many early victories to overturn discriminatory practices that proved to set the stage for the landmark case *Brown vs. Board of Education* that ended segregation in our nation.

The Foundation of Segregation takes root in 1896 with the United States Supreme Court case *Plessy v Ferguson* "Separate but equal" as the law of the land pertaining to the legal equality of blacks and whites. Separate was never equal for blacks in any facet of American life: housing, law, employment or education. In 1933 the robust Baltimore Branch of the NAACP and the Baltimore Afro Newspaper still in print today hatched a plan to attack separate but equal. The Afro Newspaper published a story with a banner headline "Two Apply at Maryland University". The supposed two applicants were Clarence Mitchell, Jr. and Harold Seaborne both members of the City wide Young People's Forum, a group of young black activists that sparked the renaissance of the Baltimore Branch of the NAACP and they were graduates of Lincoln University. Mitchell later became a legendary civil rights leader and Washington Lobbyist. His sons and grandsons have served in the Maryland General Assembly in the house and Senate. Currently his grandson is a freshman Delegate from the 44th District in Baltimore City. The Truth about the banner headline is neither Mitchell nor Seaborne had actually applied to the University of Maryland in January of 1933. It was a shot across the bow to perhaps rally support from the larger black community and elicit a response from the University of Maryland.

Ladies and Gentlemen the mocked Headline Worked!! The University of Maryland came across the story in the Afro Newspaper in March of 1933. When Harold Seaborne officially applied to the University of Maryland Law School in summer 1933 the response from the school was swift and unambiguous. A letter from W.M. Hillegeist, registrar for the University of Maryland sent to Dr. Roger Howell, Dean of the University of Maryland School of Law "The N word [Harold Seaborne] has applied

for admission” read the first line of a letter dated July 13, 1933. He was denied admission but it was the beginning to the Road to Brown vs. Board of Education.

Several other Black men applied to law school and were denied based strictly on their race. In 1935 Donald Gaines Murray would have a chance to apply with the assistance of a newly minted lawyer out of Howard University law school Thurgood Marshall and the NAACP. University of Maryland Law Professor Larry Gibson who is in the audience tonight stated “Murray had credentials that absolutely no one could refute. They were impeccable”. Murray had the right pedigree. He was viewed in the black community as coming from the right family. His Grandfather was a Bishop in the African Methodist Episcopal Church. Murray was also second generation college graduate, a rare feat for any family in the 1930’s. Murray a graduate of the prestigious Amherst College was handpicked by NAACP to apply to UM law program like the other black men before him but also was rejected.

The Rejection letter read like this:

“I am in receipt of your application for admission to the school of law. The University of Maryland does not admit Negro Students and your application is accordingly rejected.” I direct your attention however to article 77 sec. 214 A. Code of Public General Laws of Maryland. The law basically stated blacks could not attend the University of Maryland but because of Plessy v Ferguson 1896 doctrine separate but equal the state had to provide an alternative to blacks seeking higher education and was obligated to provide scholarships for black students to attend out of state schools. I am very familiar with this practice because my senior neighbors in the Ashburton community where I live have masters Degrees from Columbia University and NYU paid for by the state a Maryland because they were denied admittance to the University of Maryland.

Murray, a resident of Baltimore said he wanted to practice law in Baltimore and for that reason he wanted to study at the state University law school. The NAACP was ready to fight for Murray to achieve his goal of practicing law in Baltimore. Thurgood Marshall and his former Howard University professor, Dr. Charles Houston, both working for the NAACP, executed a flawless game plan. They argued that legal training was different from any other professional discipline simply because the laws in each state are different, and that sending somebody to an out of state law school could therefore not be considered equal treatment and would not fulfill the doctrine of separate but equal, established by Plessy v Ferguson. Marshall and Houston won the decision in just three days. The court ruled that Murray must not be barred because he is colored. This was the first school desegregation victory in United States history; the year was 1935. Murray in the fall entered the school of law and was permitted to pursue his studies. Many thought there might be trouble so it was suggested that Mr. Murray not sit next to white students so not to offend or force himself on them. One of Murray’s classmates was legendary Comptroller Louie Goldstein who befriended Murray and it is said put his arm around Murray and encouraged others to welcome him. Student leaders also befriended Murray. The Afro American newspaper reported Murray experienced no real trouble during his time at UM Law school and graduated without incident.

The UM law Case was well orchestrated. The presiding Judge Eugene O'Dunne had a reputation of being fair and maybe even sympathetic to their cause. In order to get Judge O'Dunne to hear the case was not dumb luck. The NAACP is thought to have timed the lawsuit to coincide with O'Dunne's turn in rotation of judges at the Equity Court of Baltimore City. He was known at that time like a few other Judges to treat blacks fairly.

Trailblazing in Maryland continued regarding the discrimination faced by black educators. The next hurdle in Maryland and throughout the South, the salaries of black public school teachers were fixed at rates of about half that paid to white teachers with comparable qualifications and experience. In 1936, the NAACP began a legal campaign to challenge these disparities. The first cases were filed in Maryland state courts.

*William Gibbs v Montgomery County School Board* (filed in 1936), settled in 1937

*Harriet Elizabeth Brown v Calvert County School Board* (filed in 1937), settled in 1937

*Evelyn Cook v Prince George's County* (filed in 1938)

After a key decision in Montgomery County overruling a demurrer, the cases in Montgomery County and Calvert County were settled with negotiated agreements to equalize the salaries. In 1938, five other counties took steps to equalize without litigation: Baltimore County, Washington, Cecil, Kent, and Queen Anne's. But, other counties dug in and resisted change. Baltimore City is not mentioned because we equalized salaries in the early 1920's.

The NAACP then started litigation in federal court *Walter Mills v Board of Education of Anne Arundel County* (filed in 1939). The Anne Arundel case ended with the first decision of any U.S. court ordering teacher pay equalization. In Prince George's County, the school authorities resisted change, fired probationary teachers, and kept the litigation tied up until the Maryland General Assembly passed a bill in 1941 to equalize teachers pay statewide.

Lawsuits patterned after the Maryland litigation to equalize pay were then filed in several states:

Alabama – *Bolden v Birmingham School Board* (filed in 1942)

Arkansas – *Norris v Little Rock School Board* (filed in 1942)

Florida – *Block v Duval County School Board* (filed 1941)

Georgia – *Reeves v Atlanta* (filed 1942)

Kentucky – *Abbington v Louisville School Board* (filed in 1940)

Louisiana – *McKelpin v New Orleans Board of Education* (filed in 1942)

Missouri – *Lee v Festus School Board* (filed in 1943)

South Carolina – *Duval v Charleston* (filed in 1941)

Tennessee – *Robinson v Chattanooga* (filed in 1941)

Texas – Page v Dallas School Board (filed 1942)

Virginia – Alston v Norfolk (filed 1939)

This organizational activity doubled the salaries of the largest group of black professionals (teachers) and began creating the network of NAACP branches that ultimately produced the litigations decided in *Brown v Board of Education*.

In 1948 Ms. Esther McCready was refused admission to Maryland's School of Nursing. According to state policy established by the Maryland General Assembly the state entered into a compact with certain other states relating to regional education services and professional schools. Ms. McCready would have to attend Meharry Medical School in Nashville, Tennessee. Blacks were exiled to out of state Black professional schools paid for by the state of Maryland.

In 1950 a group of black students sued for admission to Maryland's schools of nursing, dentistry, pharmacy, undergraduate English, medicine and graduate social work. The lead Counsel arguing on their behalf was Baltimore's own University of Maryland Law School graduate Donald Gaines Murray. He was joined by NAACP lawyer Thurgood Marshall. The case was filed July 27, 1949. Chief Judge W. Conwell Smith presided and ruled in University of Maryland's favor stating the agreement with the fourteen states to educate blacks at the professional schools offered were equal to University of Maryland. A notice of appeal filed. The argument that was used for the Murray case was established and Marshall argued that white students were given full protection of the state of Maryland in their educational endeavors, while Ester McCready was being exiled from the state to seek her education. The court of appeals agreed with Marshall and Murray in April of 1950. Maryland could not ship Ester McCready off to another state and dump its responsibility for educating her on that state. University of Maryland professional schools opened to blacks in the fall semester of 1950.

Many Maryland residents are familiar with the once all boys school "Baltimore Polytechnic Institute" or "Poly" as we say in Baltimore. What they may not know is that in 1952, two years prior to *Brown vs. Board of Education*, Poly was the first desegregation victory in the nation at a High School to allow students of color to enroll in its esteemed college prep "A" course. The "A" course included classes that would enable male high school graduates to enter college with sophomore status. This course was only offered to white males. The black students in Baltimore had nothing equal to Poly's A course. The Baltimore Chapter of the NAACP recruited 16 Elite students to apply for Poly's A course. Once they applied the city school superintendent Dr. William H. Lemmel decided that 10 of them would qualify, three probably would qualify for the A course. The school board faced a very expensive question would it be possible to create an equal Poly "A" course at Baltimore's elite black school, Frederick Douglass High School? On Sept 2, 1952 the city school board held a special meeting to resolve the matter of the "A" Course. Individuals for and against creating the A course at Douglass spoke. Dr. Lemmel felt that the curriculum could be duplicated by Douglass High but it was already overcrowded. He also admitted earlier in the summer prior to the meeting that it would be very difficult if not impossible to reproduce the specialized equipment that was such an integral part of Poly's A Course

at Douglass. In attendance that night at the school board meeting was Thurgood Marshall, a graduate of Douglass High School who had a personal connection to the issue. Marshall already had his hands full working with several lawyers as one of the chief architects of the legal strategy that provided the foundation for the pending Brown Decision. Marshall appealed to the board that they had to provide the black applicants equal educational opportunities. Marshall also said that “the Douglass option was a gamble and a gamble is not what I consider equality”. At the end of the four hour meeting, a majority of the school board five members voted that Douglass could not provide an equal education for the A course applicants, so they would be admitted to Poly’s A course (full integration of the school came after the Brown decision). The A courses case victory did not come through the courts but it was significant. It was the first school desegregation victory in the US below the Mason Dixon. What is interesting to note is that this desegregation came NOT out of a court case; rather, it was a decision made by the school board who chose to do the right thing.

After the Supreme Court decision in 1954, Brown vs. Board of Education made segregation illegal throughout the country. Many schools resisted the call to integrate their schools. Plessy vs. Ferguson had been reversed and Jim Crow was on its way out – no more separate water fountains, restrooms and lunch counters. Many thought this high court ruling stemmed from the Maryland victory won by Houston and Marshall in 1935 with the Maryland law school.

Dr. King said that, “Injustice anywhere is a threat to justice everywhere.” The same applies to our schools—one school that fails to prepare our children to realize their potential is a threat to all citizens of this great state.

We are all charged with preserving a quality public school education for all Maryland residents. Many of the precedent setting cases that helped pave the way to get the Brown vs. Board of Education victory took place in the Maryland courts, School Boards and the Legislature. As Maryland Legislators our history dictates that we are to lead the nation in improving education for all of our citizens. We must continue to be trailblazers such that other states will follow!

Thank you all. God bless you and may God bless the State of Maryland.

Delegate B. Robinson moved the Delegate’s remarks be journalized.

The motion was adopted.

Delegate Oaks seconded that the remarks be journalized.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 8)

**ADJOURNMENT**

At 8:30 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 18, 2011.

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**Annapolis, Maryland**  
**Tuesday, January 18, 2011**

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The House met at 10:03 A.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 136 Members present.

(See Roll Call No. 9)

The Journal of January 17, 2011 was read and approved.

**EXCUSES:**

Del. Burns – personal – family illness

Del. Carter – inclement weather

Del. DeBoy – illness – flu

Del. K. Kelly – inclement weather

**INTRODUCTION OF BILLS**

**House Bill 41 – Delegates Pena–Melnyk, Frush, and Barnes**

AN ACT concerning

**Legislative Community Initiatives Loan of 2004 – Prince George’s County –  
College Park City Hall**

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to extend the date by which a certain grantee must provide proof of a certain matching fund; extending the deadline by which a certain grant must be encumbered by the Board of Public Works or expended for certain purposes; and generally relating to amending the Legislative Community Initiatives Loan of 2004.

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 (AZ)



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

**House Bill 42 – Delegates Jones, Burns, and Nathan–Pulliam**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Augsburg Lutheran Home of Maryland**

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 Augsburg Lutheran Home 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; 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 43 – Delegates Pena–Melnik, Frush, and Barnes**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – The ALEC African House**

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 ALEC Education and Housing, 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 44 – Delegates Jones, Barve, Conway, Hixson, Holmes, McIntosh, O’Donnell, Ross, and Schuh**

**EMERGENCY BILL**

AN ACT concerning

**Education – Waiver from Maintenance of Effort Requirement – Process and Factors**

FOR the purpose of altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; clarifying the maintenance of effort requirement for which a county may apply for a waiver; requiring the State Superintendent of Schools to provide a certain preliminary assessment to the State Board; requiring the State Board to consider certain factors when making a decision whether to grant a waiver; altering the date by which the State Board must inform the county governing body whether the waiver application has been granted or denied; requiring the State Department of Education to report to the General Assembly on or before a certain date; making stylistic changes; providing for the application of this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the maintenance of effort requirement for elementary and secondary public education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**House Bill 45 – Delegates Waldstreicher, Anderson, Clippinger, and Dumais**

AN ACT concerning

**Criminal Law – Interception of Oral Communications – Law Enforcement Officers**

FOR the purpose of authorizing a law enforcement officer to intercept certain oral communications when a vehicle is detained for certain purposes without first notifying all other parties to the communication of the interception; creating an exception to the prohibition against willfully intercepting certain communications for a person who intercepts an oral communication made by a law enforcement officer under certain circumstances; and generally relating to the interception of oral communications made to and by law enforcement officers.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(4)

Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(11)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 46 – Delegate O’Donnell**

AN ACT concerning

#### **Ethics Law – Soliciting the Employment of Lobbyists**

FOR the purpose of prohibiting a State official or public official from directly or indirectly soliciting a person to retain the services of a particular regulated lobbyist or lobbying firm; and generally relating to the regulation of conduct by State and public officials under the Maryland Public Ethics Law.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–102(bb), (ff), and (ll)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 47 – Delegate O’Donnell**

AN ACT concerning

#### **State Government – Open Meetings Act – Online Training**

FOR the purpose of requiring the State Open Meetings Law Compliance Board to develop and offer an online training program on the requirements of the open meetings law to employees, officers, or members of a public body; requiring a public body to designate certain individuals to receive certain online training; requiring the public body to submit a list of the individuals designated to

receive certain online training to the Board; requiring certain individuals designated to receive certain online training to complete the training within a certain time period; requiring certain individuals to complete certain annual online training; and generally relating to online training on the requirements of the Open Meetings Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–502.4(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 10–502.7  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 48 – Delegates Morhaim, Kipke, Pena–Melnyk, and Tarrant**

AN ACT concerning

#### **State Government – Open Meetings Act – Notice and Complaints**

FOR the purpose of requiring a complaint filed with the State Open Meetings Law Compliance Board to be filed within a certain time period; requiring that notice of a meeting of a public body include the date the notice is posted; altering certain notice requirements; requiring a public body to give notice of a meeting by certain methods under certain circumstances; authorizing a public body to give notice of a meeting by certain additional methods; repealing certain requirements related to notice of a meeting of a public body; and generally relating to notice and complaints under the Open Meetings Act.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–502.5(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–502.5(b) and 10–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**MESSAGE TO THE SENATE**

January 18, 2011

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

We Propose with Your Concurrence a Joint Session of the General Assembly on January 19, 2011 for the Purpose of Witnessing the Opening of the Certified Election Returns by the Speaker, for the Offices of Governor and Lieutenant Governor.

We Have Appointed Delegates Valderrama and Kach to Escort Your Honorable Body to the House Chamber for this Joint Session.

By Order,  
MARY MONAHAN  
Chief Clerk

Read and adopted.

**MESSAGE FROM THE SENATE**

January 18, 2011

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message proposing a Joint Session of the General Assembly in the House Chamber on Wednesday, January 19, 2011 at 10:20 a.m. for the purpose of witnessing the opening of Certified Election Returns by the Speaker, for the Offices of Governor and Lieutenant Governor.

We respectfully concur in your message.

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

Read and ordered journalized.

**MESSAGE FROM THE SENATE**

January 18, 2011

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We respectfully invite your Honorable Body to be present in the Senate Chamber at 11:30 a.m. on Wednesday, January 19, 2011, to participate with us in the Inauguration of the Governor–elect, the Honorable Martin O’Malley and the Lieutenant Governor–elect, the Honorable Anthony Brown, as well as to witness the administration of the Oath of Office to them by the Chief Judge of the Court of Appeals of Maryland, in compliance with the requirements of the Constitution and the Laws of the State.

We have appointed on the part of the Senate, a committee consisting of Senators Stone and Colburn, who will wait upon your Honorable Body at 11:30 a.m., and conduct you to the Senate Chamber, where Members of the House will remain standing while the Governor–elect and the Lieutenant Governor–elect take the oath of office.

We propose also, with your concurrence, the appointment of a Committee of eight, four on the part of the House and four on the part of the Senate, to escort the Governor–elect and the Lieutenant Governor–elect to the Senate Chamber for the purpose of being sworn in by the Chief Judge of the Court of Appeals. After the administration of the Oath, the Committee will escort the Governor to the Executive Offices.

The Committee will at 12:30 p.m. escort the Governor to the West Portico of the State House, where his Inaugural Address will be delivered.

We have appointed on the part of the Senate for this Committee, Senators Garagiola and Kittleman to escort the Governor; and, Senators Pugh and Brinkley to escort the Lieutenant Governor.

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

Read and ordered journalized.

**MESSAGE TO THE SENATE**

January 18, 2011

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

We Have Received and Accept Your Invitation to Attend the Inaugural Ceremonies in the Senate Chamber on Wednesday, January 19, 2011 at 11:30 AM.

We Concur with Your Message for the Appointment of a Committee of Eight, Four on the Part of the House and Four on the Part of the Senate, to Escort the Governor–elect and the Lieutenant Governor–elect to the Senate Chamber, and, at 12:30 PM to the North West Portico of the State House Where His Inaugural Address Will Be Delivered.

We Have Appointed on the Part of the House, Delegates Eckardt and McHale to escort the Governor–elect; and, Delegates V. Turner and Love to escort the Lieutenant Governor–elect.

By Order,  
MARY MONAHAN  
Chief Clerk

Read and adopted.

### QUORUM CALL

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

(See Roll Call No. 10)

### ADJOURNMENT

At 10:19 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 19, 2011.

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**Annapolis, Maryland**  
**Wednesday, January 19, 2011**

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The House met at 10:07 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 131 Members present.

(See Roll Call No. 11)

The Journal of January 18, 2011 was read and approved.

**EXCUSES:**

Del. Branch court – character witness

Del. DeBoy – illness – flu

Del. Harrison – personal

Del. McConkey – illness

Del. McDonough – doctor’s appointment

Del. Niemann – illness

Del. Sophocleus – business

Del. Wood – personal – wife’s doctor appointment

**INTRODUCTION OF BILLS**

**House Bill 49 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Program – Talbot County**

FOR the purpose of authorizing the Circuit Administrative Judge of the Second Circuit to establish a Truancy Reduction Pilot Program in the juvenile court in Talbot County; making certain provisions relating to Truancy Reduction Pilot Programs in certain counties applicable to Talbot County; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–01



Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–02  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 50 – Delegates Haddaway–Riccio, Eckardt, Hershey, Jacobs, and Smigiel**

AN ACT concerning

**Legislative Districting – Resident Delegate for Each County**

FOR the purpose of requiring an advisory committee established by the Governor after a decennial census to formulate a legislative districting plan for the election of members of the General Assembly that, to the greatest extent practicable, draws the lines for the districts so that each county in the State has at least one resident delegate; and generally relating to legislative districting and a resident delegate for each county.

BY adding to  
Article – State Government  
Section 2–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 51 – Delegates Olszewski and Kach**

AN ACT concerning

**Video Lottery Operation Licenses – Information on Payouts**

FOR the purpose of requiring that regulations adopted by the State Lottery Commission include provisions that require certain payouts above certain amounts be reported to the Department of Human Resources' Child Support Enforcement Administration for certain purposes; and generally relating to video lottery terminal payouts and the holding of a video lottery operation license.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–24(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–24(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 52 – Delegate Morhaim**

AN ACT concerning

#### **State Board of Podiatric Medical Examiners – Podiatric Medical Assistants – Registration**

FOR the purpose of requiring an individual to be registered by the State Board of Podiatric Medical Examiners before the individual may perform functions under the supervision of and as delegated by a licensed podiatrist; requiring a licensed podiatrist who employs a registered podiatric medical assistant to keep a record of a certain registration in a certain file; requiring an applicant for registration to be an individual who meets certain requirements; requiring certain applicants for registration to submit a certain written statement to the Board and meet certain requirements no later than a certain date; requiring an applicant for registration to submit certain documents and a certain fee to the Board; requiring the Board to register as a podiatric medical assistant individuals who meet the requirements of certain provisions of this Act; authorizing the Board to set certain fees; requiring a registered podiatric medical assistant to display a registration in a certain place; requiring a registered podiatric medical assistant to notify the Board, within a certain time period, of certain information regarding felonies or crimes involving moral turpitude; specifying the date on which a registration expires unless the registration is renewed; requiring the Board to send a renewal notice to a registered podiatric medical assistant by certain means; requiring the Board to renew a registration under certain circumstances; requiring a registered podiatric medical assistant to meet certain requirements if a registration is not renewed in a certain time period; authorizing the Board, subject to certain hearing provisions, to take certain actions against certain individuals for violations of certain provisions of law; prohibiting an individual from working, attempting to work, or offering to work as a registered podiatric medical assistant in the State unless registered by the Board; prohibiting an individual from obtaining a registration by making a false representation; specifying that a

registration is void under certain circumstances; prohibiting an individual from making certain representations to the public or using certain terms under certain circumstances; specifying that a licensed podiatrist is liable, under certain circumstances, for a violation of a certain provision of this Act committed by a podiatric medical assistant; requiring a licensed podiatrist to report a violation of a certain provision of this Act under certain circumstances and within a certain period of time after the occurrence of the violation; defining certain terms; and generally relating to the registration of podiatric medical assistants.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health Occupations  
Section 16–4A–01 through 16–4A–11 to be under the new subtitle “Subtitle 4A.  
Podiatric Medical Assistants”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

## APPOINTMENTS

January 19, 2011

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW (AELR)

### House Members

Hon. Anne Healey, Chair  
Hon. Eric M. Bromwell  
Hon. Robert A. Costa  
Hon. Adelaide C. Eckardt  
Hon. Brian J. Feldman  
Hon. Keith E. Haynes  
Hon. Jolene Ivey  
Hon. Dan K. Morhaim  
Hon. Justin D. Ross  
Hon. Michael D. Smigiel, Sr.

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING SPECIAL JOINT COMMITTEE APPOINTMENTS:

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS:**

Hon. Kumar P. Barve, Chair  
Hon. Jon S. Cardin  
Hon. Anne R. Kaiser  
Hon. Warren E. Miller

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

**LEGISLATIVE POLICY COMMITTEE**

**Ex Officio House Members:**

Hon. Michael E. Busch  
Hon. Adrienne A. Jones  
Hon. Kumar P. Barve  
Hon. Anthony J. O'Donnell  
Hon. Norman H. Conway  
Hon. Dereck E. Davis  
Hon. Maggie McIntosh  
Hon. Peter A. Hammen  
Hon. Joseph F. Vallario, Jr.  
Hon. Sheila E. Hixson

**House Members:**

Hon. Talmadge Branch  
Hon. Jeannie Haddaway–Ricchio  
Hon. Carolyn J. B. Howard  
Hon. Shane E. Pendergrass

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and adopted.

**JOINT SESSION**

Delegates Kach and Valderrama 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. 26A)

Speaker Busch called for the House Roll.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 12)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

**PRESENTATION OF CERTIFIED ELECTION RESULTS**

MESSAGE FROM THE SECRETARY OF STATE

(See Exhibit B of Appendix II)

Read and ordered journalized.

MESSAGE FROM THE STATE BOARD OF ELECTIONS

(See Exhibit C of Appendix II)

Read and ordered journalized.

MARYLAND STATE BOARD OF ELECTIONS  
NOVEMBER 2, 2010 GUBERNATORIAL GENERAL ELECTION  
OFFICIAL ELECTION RESULTS

(See Exhibit D of Appendix II)

Read and ordered journalized.

Senator Garagiola moved the Senate be adjourned.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 13)

**ADJOURNMENT**

At 10:25 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 20, 2011.

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**Annapolis, Maryland**  
**Thursday, January 20, 2011**

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

Prayer by Delegate Kris Valderrama of Prince George's County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 14)

The Journal of January 19, 2011 was read and approved.

**EXCUSES:**

Del. DeBoy – illness – flu

Del. Eckardt – medical

Del. Hershey – personal

Del. Hucker – business

Del. Niemann – illness

Del. Pena–Melnik – illness

Del. Vaughn – funeral – out of town

**INTRODUCTION OF BILLS**

**House Bill 53 – Delegate Hubbard**

AN ACT concerning

**Environment – Commercial Dishwashing Detergent – Prohibition**

FOR the purpose of prohibiting a person from using, selling, manufacturing, or distributing for sale certain commercial dishwashing detergents that contain greater than a certain amount of phosphorus after a certain date; repealing certain obsolete language; and generally relating to phosphorus in commercial dishwashing detergents.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1503

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 54 – Delegate Hubbard**

EMERGENCY BILL

AN ACT concerning

**Environment – Decabrominated Diphenyl Ether – Trace Amounts**

FOR the purpose of altering certain prohibitions on the manufacturing, leasing, selling, or distributing of certain products that contain decabrominated diphenyl ether; making this Act an emergency measure; and generally relating to the use of decabrominated diphenyl ether.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 6–1201(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–1202.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 55 – Delegates Simmons, Alston, Anderson, Arora, Barnes, Carr, Carter, Dumais, Feldman, Gutierrez, Hixson, Hubbard, Ivey, Lee, Summers, 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 2010 Supplement)

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

**House Bill 56 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

**Creation of a State Debt – Talbot County – Talbot Hospice Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Talbot Hospice 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 57 – Delegates Costa and Vitale**

AN ACT concerning

**Environment – Bay Restoration Fund – Authorized Uses**

FOR the purpose of authorizing certain fee revenue collected for the Bay Restoration Fund to be used to pay the cost of connecting properties served by onsite sewage disposal systems to certain existing municipal wastewater facilities under certain circumstances; establishing certain conditions for certain funding of certain costs; and generally relating to authorized uses of the Bay Restoration Fund.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a) and (h)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(h)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 58 – Delegate Costa**

AN ACT concerning

**Community Services Reimbursement Rate Commission – Termination Date –  
Extension**

FOR the purpose of extending the termination date for the Community Services Reimbursement Rate Commission; and generally relating to the Community Services Reimbursement Rate Commission.

BY repealing and reenacting, with amendments,

Chapter 593 of the Acts of the General Assembly of 1996, as amended by Chapter 566 of the Acts of the General Assembly of 1999, Chapter 370 of the Acts of the General Assembly of 2002, Chapter 401 of the Acts of the General Assembly of 2005, and Chapters 572 and 573 of the Acts of the General Assembly of 2008

Section 3

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

**House Bill 59 – Delegate Costa**

AN ACT concerning

**Anne Arundel County – Transfer of Education Funds Between Major  
Categories – Public Hearing**

FOR the purpose of requiring the Anne Arundel County Board of Education to make a written request to the Anne Arundel County Council with a copy to the County Executive for transfer of funds between major categories; requiring the County Executive of Anne Arundel County to make a certain recommendation to the County Council within a certain time frame; requiring the County Council to hold a public hearing on the request within a certain time frame; requiring a certain vote of the County Council within a certain time frame in order for a request to be approved; providing that failure of the County Council to take action on the request within a certain time frame constitutes disapproval of the request; and generally relating to the transfer of education funds between major categories in Anne Arundel County.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–105

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 60 – Delegate Costa**

AN ACT concerning

#### **Anne Arundel County – Annual Education Budget – Required Information**

FOR the purpose of requiring the Anne Arundel County Board of Education to include certain additional information in its annual budget under certain circumstances; making certain conforming changes; and generally relating to the annual budget of the Anne Arundel County Board of Education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–101(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–101(c), (e), and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 61 – Delegate O’Donnell**

AN ACT concerning

#### **Fire, Rescue, or Emergency Medical Services Entities – Resale of Admission Tickets**

FOR the purpose of prohibiting a person from selling or offering for sale an admission ticket to a certain event held for the benefit of a fire, a rescue, or an emergency services entity at a greater price than that printed on the ticket; providing for a certain penalty; and generally relating to fire, rescue, and emergency services entities.

BY adding to  
Article – Public Safety  
Section 7–404  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 62 – Delegate Beidle**

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Property Leased to Nonprofit Schools**

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on real property leased to a nonprofit school and used exclusively for primary or secondary educational purposes; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; providing for the application of this Act; and generally relating to a property tax credit in Anne Arundel County for certain real property leased to nonprofit schools.

BY adding to

Article – Tax – Property

Section 9–303(b)(4)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 63 – Delegate Bohanan**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – St. Mary’s County –  
United States Colored Troops Memorial Monument**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to add the Board of County Commissioners of St. Mary’s County as a grantee to a certain grant and expanding the purpose of the grant; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA02(BV-2)

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

**House Bill 64 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators 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 to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 9-502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8-403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8-403(b)(42)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 65 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**Electrology Practice Committee – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Electrology Practice Committee 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 Committee; requiring that an evaluation of the Committee and the statutes and regulations that relate to the Committee be performed on or before a certain date; requiring the State Board of Nursing to submit certain reports to certain committees of the General Assembly on or before certain dates; and generally relating to the Electrology Practice Committee.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–6B–29  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(19)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 66 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Podiatric 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; and generally relating to the State Board of Podiatric Medical Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–602  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(52)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 67 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Architects – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Architects 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 chairs of certain design boards to submit a certain report on or before a certain date; and generally relating to the State Board of Architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 3–702  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 68 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors 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 the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 9A–602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(28)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)



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

**House Bill 69 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Professional Engineers – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board for Professional Engineers 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 for Professional Engineers.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 14–602  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(21)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 15)

**ADJOURNMENT**

At 10:21 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 21, 2011.

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**Annapolis, Maryland  
Friday, January 21, 2011**

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

The House met at 11:06 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 134 Members present.

(See Roll Call No. 17)

The Journal of January 20, 2011 was read and approved.

**EXCUSES:**

Del. DeBoy – illness – flu  
Del. Donoghue – funeral  
Del. Harrison – medical  
Del. Niemann – illness  
Del. Simmons – business – out of town  
Del. F. Turner – doctor’s appointment  
Del. Vaughn – funeral – out of town

**INTRODUCTION OF BILLS**

**House Bill 70 – The Speaker and the President (By Request – Administration)**

**Budget Bill**

**Fiscal Year 2012**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2012, 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 71 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of State Debt – Maryland Consolidated Capital Bond Loan of 2011, and the Maryland Consolidated Capital Bond Loans of 1996, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010**

FOR the purpose of authorizing the creation of a State Debt in the amount of Nine Hundred Thirty–Five Million, Six Hundred Eighteen Thousand (\$935,618,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2012, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be issued in 2013, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be issued in 2014, the proceeds to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; requiring certain grantees to submit certain reports; providing that certain authorizations do not terminate before a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain projects and 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 under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization Acts; providing for delayed effective dates for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,  
Chapter 125 of the Acts of the General Assembly of 1996  
Section 1(3) Item 38.01.00(D)

BY repealing and reenacting, with amendments,  
Chapter 125 of the Acts of the General Assembly of 1996, as amended by  
Chapter 138 of the Acts of the General Assembly of 1998, Chapter 212 of

the Acts of the General Assembly of 1999, Chapter 508 of the Acts of the General Assembly of 2000, Chapter 290 of the Acts of the General Assembly of 2002, and Chapter 204 of the Acts of the General Assembly of 2003

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003

Section 1(3) Item QB08(A), Item RP00.05(B), and Item TF00(A)

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, Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of the General Assembly of 2010

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item MA01(B) and Item UB00(A)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004

Section 1(3) Item DE02.01(K), Item KA05(C)(3), Item QB08.02(A), Item RP00.05(A), and Item ZA00(G), (I), and (L)

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, Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of the General Assembly of 2010

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of the General Assembly of 2010

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RM00(D)

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item UB00(A)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item DB01(B), Item RD00(A), Item RE01(A), and Item RM00(C)

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, Chapter 485 of  
the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of  
the General Assembly of 2010  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item MF05(A) and Item RD00(B)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 12(1) and (3) Item DE02.01(I)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 485 of the Acts of the General Assembly of 2009 and Chapter 483  
of the Acts of the General Assembly of 2010  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RM00(C)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(1) and 12(1) and (3) Item WA01(A)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item RB31(A), Item ZA02(W) and (BM), and Item ZA03(H), (M),  
(Y), (Z), (AB), and (AC)

BY repealing

Chapter 483 of the Acts of the General Assembly of 2010  
Section 12 and 13

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

**House Bill 72 – The Speaker (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2011**

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; altering or repealing certain grant programs; authorizing certain units of government to charge a certain fee for certain purposes; repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet website relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet website; altering the distribution of certain moving violation surcharges; altering a certain fee imposed on persons supervised by the Division of Parole and Probation; altering certain State education funding for a certain fiscal year; providing that certain grants to county boards of education may be funded from the proceeds of certain bonds; requiring certain counties to reimburse the State for certain nonpublic education costs; authorizing the Maryland Higher Education Commission to impose certain fees; prohibiting new awards under a certain scholarship program and abolishing the program by a certain date; altering the payment schedule for certain developmental disabilities providers; providing for the accreditation of certain youth camps by nationally recognized organizations; altering certain youth camp regulatory responsibilities of the Department of Health and Mental Hygiene; repealing certain youth camp inspection requirements; abolishing the Youth Camp Safety Advisory Council; altering certain hospital assessments for certain purposes; altering a certain quality assessment on certain nursing facilities; repealing the sunset date for the quality assessment paid by certain nursing facilities; making the Injured Workers' Insurance Fund subject to the premium tax; altering certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; requiring the transfer of certain interest from certain funds into the General Fund; authorizing the State to establish separate health insurance benefit options for retirees that differ from those for active employees; authorizing the State to discontinue certain health benefits for certain retirees

in a certain year; altering certain requirements that certain subsidies be deposited in the State Employees and Retirees Health and Welfare Benefits Program; establishing a certain reformed contributory pension benefit for new members of the Employees' Pension System and the Teachers' Pension System on or after a certain date; altering for certain members of the Employees' Pension System and the Teachers' Pension System the method for calculating the average final compensation that is used to determine certain retirement allowances; requiring the adjustment of a certain employer contribution rate for certain State retirement and pension systems to reflect the cost of legislative changes under certain circumstances; requiring certain members of the Employees' Pension System and the Teachers' Pension System to make a certain selection that affects the rate of member contributions and the rate used to calculate certain benefits; providing for a certain selection if an individual fails to make a selection on or before a certain date or within a certain time period; making the selections irrevocable and not subject to change; altering the rate of member contributions and the method for calculating certain benefits for certain members of the Employees' Pension System and the Teachers' Pension System; altering eligibility for, and the method of calculating, an early service retirement allowance for certain members of the Employees' Pension System and the Teachers' Pension System; altering certain eligibility requirements for participation in certain deferred retirement option programs for members of the State Police Retirement System and the Law Enforcement Officers' Pension System; altering the rate of member contributions for certain members of the Judges' Retirement System; altering certain eligibility requirements for a certain vested allowance for certain members of the Employees' Pension System and the Teachers' Pension System; providing for a certain cost-of-living adjustment for members of the Employees' Pension System and the Teachers' Pension System who are subject to the reformed contributory pension benefit; altering the method for applying service credit for military service so as to use the accrual rate in effect at the time of application for the military service credit; requiring the Governor's Salary Commission and the General Assembly Salary Commission to make certain recommendations concerning benefit and contribution levels; requiring the Board of Trustees for the State Retirement and Pension System to provide certain reports to the Governor and the Joint Committee on Pensions; 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 distribution of certain highway user revenues for a certain fiscal year; requiring certain tax clearance verification before registration or renewal of registration of a motor vehicle; requiring certain tax clearance verification before issuance or renewal of a driver's license; requiring the Motor Vehicle Administration to assess certain fees against certain licensees under certain circumstances; requiring the Administration to send a notice to an individual subject to a certain fee; requiring the suspension of an individual's driver's license unless the individual pays a certain fee; providing for the distribution of certain fees



assessed by the Administration; requiring a court to provide a certain notice to a certain defendant; repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; authorizing the transfer of certain funds for certain purposes; providing that the Governor is not required to include certain appropriations in the budget for certain fiscal years under certain circumstances; prohibiting certain payments for certain rate increases for certain providers for a certain fiscal year; prohibiting the payment of certain merit increases for certain State employees for a certain period; authorizing the prefunding of certain education funding obligations; making the provisions of this Act severable; 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 – Commercial Law  
Section 15–607 and 17–311  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–301(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–226(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–523(a)(3)(i)  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(13), 5–206(f)(1), 11–105(o), 16–310(d)(1), 23–205(c) and (d),  
and 23–503(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 8–507 and 18–1107  
Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 13–1114(g)(3)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Health – General  
Section 14–401(b), (d), and (e), 14–402(b), (c), and (d), and 14–403 through  
14–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–306.1(d), 14–402(a), 14–411, 19–214(b) through (e), and 19–310.1(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 14–401(b), 14–402(b), and 14–403 through 14–405  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 6–101(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 14–106(d)(1)(iv) and (2) and 14–106.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources

Section 5–212(g), 5–212.1(g), and 5–215(b) and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3A–309(e) and 6–226(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 2–508(b)(3), 20–101(hh–1), 20–205.1, 23–212(d) and (e), 23–221(d);  
23–225 and 23–226 to be under the new part “Part IV. Reformed  
Contributory Pension Benefit”; 23–401(f) and (g), 29–303(h); 29–430  
through 29–432 to be under the new part “Part VII. Three/One Percent  
Compound Adjustment”; and 31–116.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–509.1, 2–516, 20–101(g) and (bb), 20–205(a), 21–304(e) and (f),  
23–212(c), 23–221(a), 23–222, 23–401(a), (b), and (d), 23–402, 24–401.1(c),  
26–401.1(c), 27–202, 29–303(b), (c), and (e), 34–101(d), and 38–104(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–202(b), 2–1104, 2–1302.1, and 11–105(c)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 2–106  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Transportation  
Section 1–103(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 4–321(e) and 8–402(c)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–120(a), 13–406(9) and (10), and 16–103.1(11) and (12)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 13–406(11), 16–115(j); and 16–1001 through 16–1003 to be under the  
new subtitle “Subtitle 10. Assessment of Fees”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 503 of the Acts of the General Assembly of 2007  
Section 6

BY repealing  
Article – Education  
Section 18–1101 through 18–1107 and the subtitle “Subtitle 11. Distinguished  
Scholar Programs”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Education  
Section 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private Career  
School Student Grant Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Tax – General  
Section 8–406(b) and 10–704.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 73 – Delegate Walker**

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 of the school bus; establishing that this Act does not apply during a certain period of time at the beginning of a school year for public schools or, under certain circumstances, in an emergency; establishing a certain fine; providing that a violation of this Act is not considered a moving violation for certain purposes; 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  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 74 – Delegates McConkey, Dwyer, George, Holmes, and Vitale**

AN ACT concerning

**Transportation Authority – Chesapeake Bay Bridge – Electronic Toll Collection**

FOR the purpose of requiring the Maryland Transportation Authority to take all necessary actions to ensure that by a certain date all tolls collected in connection with the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and parallel Chesapeake Bay Bridge are collected by means of electronic toll collection; and generally relating to electronic toll collection on the Chesapeake Bay Bridge.

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

**House Bill 75 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners of Psychologists – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Psychologists 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 report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 18–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(55)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 76 – Delegates McConkey, Fisher, and George**

AN ACT concerning

#### **Video Lottery Terminals – State Legislators – Prohibited Acts**

FOR the purpose of prohibiting a member of the Senate of Maryland or the House of Delegates from holding a license issued in connection with the operation of video lottery terminals; prohibiting a member from performing work or services as an independent contractor for a certain licensee or an agent of the licensee; and generally relating to the operation of video lottery terminals and members of the Senate of Maryland and the House of Delegates.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–02(c)(1)  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–05(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 77 – Delegates Nathan–Pulliam, Burns, and Jones**

SECOND PRINTING

AN ACT concerning

**Creation of a State Debt – Baltimore County – Career Development 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 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 78 – Delegates McConkey and Sophocleus**

AN ACT concerning

**Anne Arundel County – School Board Nominating Commission – Membership**

FOR the purpose of adding a certain member to the School Board Nominating Commission of Anne Arundel County appointed by a certain association; and generally relating to the membership of the School Board Nominating Commission of Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–110(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 79 – Delegate Walker**

AN ACT concerning

**Task Force to Study the Creation of a Maryland Center for School Safety**

FOR the purpose of establishing a Task Force to Study the Creation of a Maryland Center for School Safety; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Creation of a Maryland Center for School Safety.

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

**House Bill 80 – Delegates Walker and Oaks**

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 13–504

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 81 – Delegates Mitchell, Haynes, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Maryland Center of Veterans Education and Training**

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 Maryland Center for Veterans Education and Training, 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 82 – Delegates Morhaim and Kipke**

AN ACT concerning

### **Health Care Decisions Act – “Medical Orders for Life–Sustaining Treatment” Form**

FOR the purpose of repealing certain provisions of law relating to the “Instructions on Current Life–Sustaining Treatment Options” form; requiring the Department of Health and Mental Hygiene, in conjunction with the Maryland Institute for Emergency Medical Services Systems and the State Board of Physicians, to develop a “Medical Orders for Life–Sustaining Treatment” form and instructions for its completion and use; requiring that the form and instructions be developed in consultation with certain individuals and groups; requiring that the form be suitable for containing certain medical orders; providing that the form is not an advance directive; requiring certain health care facilities and authorizing other health care providers to use a “Medical Orders for Life–Sustaining Treatment” form; requiring certain health care facilities and authorizing other health care providers to use a “Medical Orders for Life–Sustaining Treatment” form; requiring certain health care facilities and health care providers to offer certain individuals the opportunity to participate in the completion of a “Medical Orders for Life–Sustaining Treatment” form; requiring health care facilities to note in a patient’s medical record when certain individuals decline to participate in the completion of a “Medical Orders for Life–Sustaining Treatment” form; requiring, under certain circumstances, that a “Medical Orders for Life–Sustaining Treatment” form be consistent with certain health care decisions of certain individuals; requiring a health care facility to comply with the “Medical Orders for Life–Sustaining Treatment” form under certain circumstances; requiring certain health care providers to keep the “Medical Orders for Life–Sustaining Treatment” form in the patient’s medical record; requiring that the “Medical Orders for Life–Sustaining Treatment” form accompany certain patients and be given to certain individuals under certain circumstances; requiring that the most recent “Medical Orders for Life–Sustaining Treatment” form be followed if there is a conflict between forms; authorizing a health care provider to rely in good faith on the presumed validity of a “Medical Orders for Life–Sustaining Treatment” form; requiring the Department to adopt certain regulations; requiring the Department to make the “Medical Orders for Life–Sustaining Treatment” form and certain instructions available on the Department’s Web site; authorizing the

Department to print and distribute the form and instructions; requiring that a “Medical Orders for Life–Sustaining Treatment” form containing an order that resuscitation not be attempted be given the same effect as an emergency medical services “do not resuscitate order”; specifying that orders regarding life–sustaining treatment executed in another state are to be deemed valid under certain circumstances and construed in a certain manner; repealing the requirement that a nursing home offer patients an “Instructions on Current Life–Sustaining Treatment Options” form; requiring certain health care facilities, on or before a certain date, to complete a “Medical Orders for Life–Sustaining Treatment” form for patients admitted to the health care facility before a certain date, and to offer the patients or certain other individuals an opportunity to participate in the completion of the form; altering a certain definition; defining a certain term; and generally relating to health care decisions and the “Medical Orders for Life–Sustaining Treatment” form.

BY repealing

Article – Health – General  
Section 5–602(f)(4) and 5–608.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 5–608, 5–609, 5–617, 5–619, and 19–344(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General  
Section 5–608.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 83 – Delegate K. Kelly**

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Direct Reimbursement**

FOR the purpose of requiring health insurers, nonprofit health service plans, and health maintenance organizations to reimburse an ambulance service provider directly for certain covered services; providing that an ambulance service provider is entitled to direct reimbursement under certain circumstances; providing for the application of this Act; defining a certain term; and generally

relating to reimbursement by insurers, nonprofit health service plans, and health maintenance organizations for transportation by ambulance.

BY adding to

Article – Health – General

Section 19–706(kkkk)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Insurance

Section 15–716

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

#### **House Bill 84 – Delegates Conway and Cane**

AN ACT concerning

##### **Creation of a State Debt – Wicomico County – Salisbury Zoological Park Animal Health Clinic Phases II and III**

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 Salisbury Zoo Commission, 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 85 – Delegates Conway and Cane**

AN ACT concerning

##### **Creation of a State Debt – Wicomico County – Tri-County Multi-Purpose 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 Tri-County Council for the Lower Eastern Shore of Maryland 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 86 – The Speaker (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bond**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$15,902,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required federal matching fund; providing that, after a certain date, any bonds authorized under this Act shall be cancelled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; 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 87 – Delegates Reznik, Barkley, Bobo, Boteler, Braveboy, Bromwell, Carr, Cullison, Feldman, Gilchrist, Gutierrez, Hixson, Howard, Hucker, Kaiser, A. Kelly, Lee, Love, Luedtke, A. Miller, Murphy, B. Robinson, S. Robinson, Valderrama, Vaughn, Weir, and Zucker**

AN ACT concerning

**Job Applicant Fairness Act**

FOR the purpose of prohibiting an employer from using the credit report or credit history of an employee or applicant for employment for certain purposes; authorizing an employer to request or consider an applicant's or employee's credit report or credit history under certain circumstances; authorizing certain civil actions under certain circumstances; providing that this Act does not apply to certain employers; specifying that this Act does not prohibit an employer from performing an employment-related background investigation that meets certain requirements; and generally relating to the use by employers of credit reports and credit histories of employees and applicants for employment.

BY adding to

Article – Labor and Employment

Section 3–711

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 88 – Delegates Kipke and Costa**

AN ACT concerning

#### **Video Lottery Facilities – Electronic Benefit Cards – Prohibition**

FOR the purpose of requiring that regulations adopted by the State Lottery Commission include provisions that prohibit automated teller machines located in video lottery facilities from accepting certain electronic benefit cards, debit cards, or similar negotiable instruments issued by the Department of Human Resources for certain purposes; and generally relating to automated teller machines and the holding of a video operation license.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–24(f)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 89 – Delegate Kipke**

AN ACT concerning

#### **Mental Hygiene – Admission Provisions – Definition of “Psychologist”**

FOR the purpose of altering the definition of “psychologist” for purposes of certain provisions of law relating to admissions to certain mental health facilities.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–601

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 90 – Delegate Kipke**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Chesapeake High School  
Field Lights**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Anne Arundel County Board of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 91 – Delegates Norman, Beitzel, Dwyer, Eckardt, Frank, James,  
K. Kelly, McConkey, Schulz, and Weir**

AN ACT concerning

**Courts – Bankruptcy – Arms**

FOR the purpose of authorizing a person to claim an exemption in certain bankruptcy proceedings for arms not exceeding a certain amount in value; providing for the application of this Act; and generally relating to an exemption in certain bankruptcy proceedings for arms not exceeding a certain amount in value.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 11–504  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**APPOINTMENTS**

January 21, 2011

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT  
STATUTORY COMMITTEE APPOINTMENTS:

WORKERS' COMPENSATION BENEFIT AND INSURANCE OVERSIGHT  
COMMITTEE

Hon. Sally Y. Jameson, Chair  
Hon. Joseph J. Minnick

JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT

Hon. Emmett C. Burns, Jr., Chair  
Hon. Sally Y. Jameson  
Hon. Jeannie Haddaway–Riccio

JOINT COMMITTEE ON SPENDING AFFORDABILITY

Hon. John L. Bohanan, Jr., Chair  
Hon. Michael E. Busch, ex officio  
Hon. Kumar P. Barve, ex officio  
Hon. Anthony J. O'Donnell, ex officio  
Hon. Talmadge Branch  
Hon. Norman H. Conway  
Hon. Adelaide C. Eckardt  
Hon. Sheila E. Hixson  
Hon. Adrienne A. Jones  
Hon. Samuel I. Rosenberg

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING SPECIAL JOINT COMMITTEE APPOINTMENTS:

JOINT SUBCOMMITTEE ON PROGRAM OPEN SPACE/AGRICULTURAL LAND PRESERVATION

Hon. Rudolph C. Cane, Chair  
Hon. Elizabeth Bobo  
Hon. Patrick Hogan  
Hon. Mary–Dulany James  
Hon. Dana M. Stein

BY ORDER,  
MARY MONAHAN,  
CHIEF CLERK

Read and adopted.

**QUORUM CALL**

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

(See Roll Call No. 18)

### **ADJOURNMENT**

At 11:18 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 24, 2011.



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**Annapolis, Maryland**  
**Monday, January 24, 2011**

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The House met at 8:09 P.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 132 Members present.

(See Roll Call No. 19)

The Journal of January 21, 2011 was read and approved.

**EXCUSES:**

Del. Carr – personal

Del. George – illness

Del. Harrison – medical

Del. Howard – brother-in-law's death

Del. Simmons – business – out of town

Del. Stifler – personal

Del. V. Turner – personal

**INTRODUCTION OF BILLS**

**House Bill 92 – Delegates Morhaim, Bromwell, Burns, Cardin, Impallaria,  
Jones, Lafferty, Malone, Minnick, Nathan-Pulliam, Stein, and Weir**

AN ACT concerning

**Creation of a State Debt – Baltimore County – United Cerebral Palsy Adult  
Daycare Facility**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$125,000, the proceeds to be used as a grant to the Board of Directors of the United Cerebral Palsy of Central Maryland, 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 93 – Delegates Cardin, Rosenberg, Barkley, Bobo, Carr, Frick, Healey, Hixson, Howard, Ivey, Kaiser, Lafferty, Lee, Luedtke, Morhaim, Stein, and F. Turner**

AN ACT concerning

**Election Law – Independent Expenditures – Reporting**

FOR the purpose of altering the definition of “independent expenditure” to include independent expenditures relating to ballot issues; requiring a person to file an independent expenditure report on a certain date when the person makes aggregate independent expenditures of more than a certain amount in an election cycle on campaign material that is a public communication; requiring a person who files an independent expenditure report to file an additional independent expenditure report on a certain date when the person makes aggregate independent expenditures of more than a certain amount on campaign material that is a public communication following the closing date of the person’s previous independent expenditure report; requiring an independent expenditure report to cover certain periods; requiring an independent expenditure report to include certain information; providing that a person is considered to have made an independent expenditure if the person has executed a contract to make an independent expenditure; requiring the highest ranking official of an entity required to file an independent expenditure report to sign the report and be responsible for filing the report; subjecting an individual who fails to file properly an independent expenditure report to certain sanctions; requiring an entity that files an independent expenditure report to include certain information concerning independent expenditures in any regular, periodic report it submits to its shareholders, members, or donors on its finances or activities; requiring an entity that files an independent expenditure report to post a hyperlink on any Internet site it maintains to the Internet site where the entity’s independent expenditure report information is publicly available for a certain period of time; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; providing for the application of this Act; defining certain terms; and generally relating to reporting of independent expenditures.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(k)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(bb)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 13–306  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 94 – Delegates Eckardt, Haddaway–Ricchio, and Cane**

AN ACT concerning

**Dorchester County – Local Government Tort Claims Act – Inclusion of  
Specified Nonprofit Entity**

FOR the purpose of altering the definition of a “local government” under the Local Government Tort Claims Act to include a certain nonprofit corporation in Dorchester County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Dorchester County or its employees; providing for the application of this Act; and generally relating to the inclusion of a certain nonprofit entity in Dorchester County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–301 and 5–304  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 95 – Delegates Eckardt, Cane, and Haddaway–Ricchio**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Dorchester Center for the  
Arts – Atrium Entrance**

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 Dorchester Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 96 – Delegates George, Aumann, Barnes, Bates, Beidle, Bohanan, Boteler, Clagett, Dwyer, Eckardt, Fisher, Frank, Haddaway–Riccio, Hixson, Hough, Jameson, Kach, Kipke, Krebs, Love, McMillan, A. Miller, W. Miller, Minnick, Myers, Norman, O’Donnell, Ready, Ross, Schuh, Schulz, Sophocleus, Stocksdale, Stukes, Szeliga, Vitale, Walker, Weir, and Wilson**

AN ACT concerning

**Flag Display on State House Grounds – Honor and Remember and POW/MIA  
Flags**

FOR the purpose of requiring that the Honor and Remember flag be flown on the State House grounds on certain days each year; altering the days on which the POW/MIA flag is to be flown on State House grounds; requiring the State House Trust to determine the site on the State House grounds where the Honor and Remember flag will be flown; defining a certain term; and generally relating to the display of the Honor and Remember and POW/MIA flags on the State House grounds.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 13–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 97 – Delegate Eckardt**

AN ACT concerning

**Behavioral Health – Integration of Mental Health and Addiction Treatment  
Services**

FOR the purpose of requiring the Deputy Secretary of Behavioral Health and Disabilities in the Department of Health and Mental Hygiene to develop a certain plan and to convene a certain workgroup; providing for the membership of the workgroup; requiring the workgroup to make certain findings and recommendations; requiring the workgroup to make a certain report to certain

committees of the General Assembly on or before a certain date; and generally relating to the integration of mental health and addiction treatment services.

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

**House Bill 98 – Delegates Rosenberg, Carter, and Oaks**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Baltimore City – Roland Park Fire Station Rehabilitation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to change the name of a certain grantee from the Baltimore City Fire Department to the Mayor and City Council of the City of Baltimore; extending the deadline for a certain grantee to present evidence that a matching fund will be provided; and requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA03(U)

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

**House Bill 99 – Delegate Braveboy**

AN ACT concerning

**Real Property – Homeowners Association Elections – Enforcement by the Division of Consumer Protection**

FOR the purpose of providing that a violation of a provision of the governing documents of a homeowners association that regulates procedures for the election of the governing body of the association is within the enforcement duties and powers of the Division of Consumer Protection of the Office of the Attorney General; and generally relating to enforcement of the election procedures of a homeowners association.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11B–115(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 100 – Delegate Braveboy**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Foreclosure of Certain Liens Prohibited**

FOR the purpose of prohibiting a council of condominium unit owners or a homeowners association from foreclosing certain liens if the damages secured by the lien consist only of certain fines or attorney's fees; requiring a council of unit owners and a homeowners association to apply a certain payment to a unit or lot owner's account in a certain order of priority; and generally relating to collection of certain fines, fees, and assessments by condominium councils of unit owners and homeowners associations.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–110(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–110(e), 11B–112.1, and 14–204(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 101 – Delegates Rosenberg, Barve, Cardin, Ivey, Myers, Ross, and Summers**

AN ACT concerning

**Election Law – Petitions and Ballot Issues – Prohibited Actions**

FOR the purpose of prohibiting a person from obtaining a signature on a petition by certain means; prohibiting a person from preventing, hindering, or delaying another person from signing a petition by certain means; prohibiting a person from taking certain actions against another person because of that person's contribution to a ballot issue committee; providing that a certain prohibition does not apply to certain peaceable activity; providing for certain penalties; and generally relating to prohibited actions relating to petitions and ballot issues.

BY repealing and reenacting, with amendments,  
Article – Election Law

Section 16–401  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 16–904  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 102 – Delegates Stifler and Conaway**

AN ACT concerning

#### **Financial Institutions – Mortgage Loan Originators – Prohibited Acts**

FOR the purpose of prohibiting a person subject to regulation as a mortgage loan originator from making a payment, threat, or promise to another person for a certain purpose in connection with a residential mortgage loan; prohibiting a person subject to regulation as a mortgage loan originator from making a payment, threat, or promise to an appraiser of a property for a certain purpose with respect to the value of the property, and from engaging in certain acts or practices; providing that certain provisions of this Act do not prohibit a person subject to regulation as a mortgage loan originator from requesting another person to consider certain information, provide certain details, substantiation, or explanation of a certain conclusion, or correct certain errors, or from withholding payment for an appraisal under certain circumstances; providing that a certain penalty applies to a willful violation of the prohibited acts; and generally relating to the regulation of mortgage loan originators.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 11–617  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Financial Institutions  
Section 11–624  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

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

**House Bill 103 – Delegates Haddaway–Riccio, Cane, Eckardt, Hershey, Jacobs, McDermott, O’Donnell, Otto, Rudolph, and Smigiel**

AN ACT concerning

**Vehicle Laws – Gross Weight Limits – Farm Vehicles and Vehicles Carrying Farm Products**

FOR the purpose of allowing certain vehicles that are registered as farm vehicles or that are carrying certain farm products, and that are loaded in a certain location, a certain gross weight limit tolerance under certain circumstances; and generally relating to gross weight limits for farm vehicles and vehicles carrying farm products.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 104 – Chair, Ways and Means Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Higher Education – Community Colleges – Tuition Waiver for Disabled Individuals**

FOR the purpose of clarifying and amending the requirements for obtaining an exemption from the payment of tuition at community colleges for certain disabled individuals; establishing certain conditions for the tuition waiver; limiting the tuition waiver to a maximum number of credits per semester; clarifying that receipt of certain benefits under the Social Security Act provides eligibility for the tuition waiver; and generally relating to tuition waivers for disabled individuals at community colleges.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–106(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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



**House Bill 105 – Chair, Judiciary Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Vehicle Laws – Races and Speed Contests – Enforcement and Penalties**

FOR the purpose of authorizing a police officer to arrest without a warrant a person who participates in a certain race or speed contest under certain circumstances; altering the penalty for a conviction of participating in a certain race or speed contest; and generally relating to the prohibition against participating in certain races or speed contests.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1116  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–202(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 27–101(ee)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 106 – Howard County Delegation**

AN ACT concerning

**Creation of a State Debt – Howard County – Blandair Regional Park****Ho. Co. 3–11**

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 107 – Howard County Delegation**

AN ACT concerning

#### **Creation of a State Debt – Howard County – The Arc of Howard County – Grae Loch Home Renovation**

##### **Ho. Co. 1–11**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$144,000, the proceeds to be used as a grant to the Board of Directors of The Arc of Howard 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 108 – Delegate Feldman**

AN ACT concerning

#### **Business Regulation – State Amusement Ride Safety Advisory Board – Membership**

FOR the purpose of altering the membership of the State Amusement Ride Safety Advisory Board; requiring that the composition of the Board as to the race and gender of its members reflect the composition of the population of the State; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 3–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–304  
Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 109 – Chair, Environmental Matters Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Transportation – Outdoor Signs Along Federal–Aid Primary Highways –  
Scenic Byways**

FOR the purpose of prohibiting the State Highway Administration from issuing permits for certain outdoor signs along or near scenic byways located on federal–aid primary highways; altering a certain definition; defining a certain term; and generally relating to the regulation of outdoor signs along or near federal–aid primary highways.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–725 and 8–730  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 110 – Chair, Environmental Matters Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Weight Limits**

FOR the purpose of altering certain weight limits for over–the–road buses and certain vehicles used for a certain purpose; providing certain weight limit tolerances for vehicles that use certain technologies under certain circumstances; and generally relating to weight limits for motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–108  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 24–109(g)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 111 – Chair, Environmental Matters Committee (By Request –  
Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Fishing – Regulatory Authority**

FOR the purpose of authorizing the Department of Natural Resources, subject to certain standards and requirements, to adopt regulations governing the manner, methods, and gear for catching and possessing fish; repealing provisions of law that require a person to possess a valid fishing license before using certain devices to catch or attempt to catch finfish; prohibiting the Department from adopting regulations governing the use of certain crabbing gear for certain purposes; and generally relating to the regulatory authority of the Department of Natural Resources with respect to catching and possessing fish.

BY adding to

Article – Natural Resources  
Section 4–221  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 4–704 and 4–803(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 4–803(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 112 – Chair, Environmental Matters Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Equipment – Public Transit Vehicles – Flashing Lights**

FOR the purpose of authorizing public transit service vehicles to be equipped with or display amber flashing lights or a certain white flashing light; and generally relating to the display of flashing lights on vehicles used to provide public transit service.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 113 – Delegate O’Donnell**

AN ACT concerning

**Public Officials – Chauffeured Transportation Services**

FOR the purpose of providing that public officials may not request the Department of State Police to provide chauffeured transportation services for them for any purpose; providing that public officials may not request the Department to provide an officer or employee of the Department to provide chauffeured transportation services for them for any purpose; providing that public officials may not require employees under their control to perform chauffeured transportation services for any purpose by using certain vehicles; providing that a certain provision of this Act does not apply to the Governor and the Lieutenant Governor; providing for certain circumstances under which the prohibitions of this Act do not apply; providing that members of the General Assembly may not request the use of the personnel and vehicles assigned by the Department to the Legislative Security Force for chauffeured transportation services, subject to certain exceptions; defining a certain term; and generally relating to the provision of chauffeured transportation services for public officials.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 8–505  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 114 – Delegates Tarrant, B. Robinson, and Rosenberg**

AN ACT concerning

**Baltimore City – Wine Consumption – Restaurants and Class C License Facilities**

FOR the purpose of allowing an individual in a restaurant or facility for which a certain alcoholic beverages license is issued in Baltimore City to consume under certain circumstances wine not purchased from or provided by the restaurant or facility; authorizing a certain license holder to charge an individual a certain fee under certain circumstances; applying the sales tax to the fee; requiring a certain individual to dispose of or remove certain wine after finishing a meal; allowing the individual to remove from the licensed premises a bottle, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an “open container” for a certain purpose; altering a certain definition; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 115 – Delegates Tarrant, Anderson, Branch, Clippinger, Conaway, Glenn, Hammen, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Stukes, and Washington**

AN ACT concerning

**Baltimore City Board of School Commissioners – Annual Report Requirement – Repeal**

FOR the purpose of repealing the requirement that the Chief Executive Officer and the Baltimore City Board of School Commissioners of the Baltimore City Public School System issue a certain annual report; repealing certain review, comment, and consideration requirements related to certain annual reports; and generally relating to the annual report requirements of the Chief Executive Officer and the Baltimore City Board of School Commissioners.

BY repealing

Article – Education

Section 4–313

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 116 – Delegate Beitzel**

AN ACT concerning

**Garrett County – County Commissioners – Commercial Wind Turbines**

FOR the purpose of authorizing the County Commissioners of Garrett County to enact an ordinance that regulates the setback of commercial wind turbine structures in Garrett County and sets a fee for decommissioning a commercial wind turbine structure 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 2010 Supplement)

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

**House Bill 117 – Delegate Beitzel**

AN ACT concerning

**Real Property – Interference With Property Markers – Penalty Increase**

FOR the purpose of altering the penalty for obliterating, damaging, or removing any stake, marker, monument, or other landmark set in the property of another person by any civil engineer, surveyor, or real estate appraiser or any of their assistants except under certain circumstances; and generally relating to the penalty for interfering with property markers.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–111(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 118 – Delegates Kipke and George**

AN ACT concerning

**Election Law – Qualification of Voters – Option to Present Proof of Identity**

FOR the purpose of requiring the statewide voter registration application to provide an applicant with the opportunity to elect to be required to present certain identification to establish the individual's identity when the individual seeks to vote; requiring certain information regarding the voter identification option to be given to each applicant who is completing a statewide voter registration application; requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a certain voter by requiring 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; requiring an election judge to refer a certain individual who is unable to present a certain form of identification for provisional ballot voting; prohibiting a person from voting or attempting to vote under a false form of identification; and generally relating to the proof of identity of voters.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–202, 10–310, and 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 3–203(c)  
Annotated Code of Maryland



(2010 Replacement Volume)

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

**House Bill 119 – Delegate Krebs**

AN ACT concerning

**Town of Sykesville Employees – Participation in the Employees’ Retirement System – Creditable Service**

FOR the purpose of altering a provision of law so as to require certain employees of the Town of Sykesville to receive service credit in the Employees’ Pension System of the State of Maryland for at least a certain percentage of certain prior service with the Town of Sykesville; 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 31–111.5  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 120 – Delegates Pena–Melnik, Costa, Hubbard, A. Kelly, Kipke, Morhaim, Nathan–Pulliam, Oaks, Tarrant, and V. Turner**

AN ACT concerning

**Commission on Surrogate Parenting**

FOR the purpose of creating the Commission on Surrogate Parenting; providing for the composition, chair, and staffing of the Commission; providing that a member of the Commission may not receive compensation but may be reimbursed for certain expenses; requiring the Commission to study certain issues related to surrogate parenting; requiring the Commission to make certain recommendations, if possible; requiring the Commission 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 Commission on Surrogate Parenting.

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

**House Bill 121 – Delegates Hubbard, Ross, Anderson, Arora, Barnes, Barve, Bobo, Braveboy, Burns, Carr, Carter, Cullison, Dumais, Feldman,**

Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haynes, Holmes, Hucker, Ivey, Jameson, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McIntosh, A. Miller, Mizeur, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Simmons, Stein, Stukes, Summers, Tarrant, V. Turner, Valderrama, Waldstreicher, Walker, Washington, Wilson, and Zucker

AN ACT concerning

**The Lorraine Sheehan Health and Community Services Act of 2011**

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 disabilities; establishing the Addiction Treatment, Prevention, and Recovery Support Fund as a special fund to be used to support certain programs for the treatment and prevention of drug and alcohol addictions; establishing the Mental Health Care Fund as a special fund to be used to support certain programs for the treatment and prevention of mental illness; establishing the State Tobacco Use Prevention and Cessation Fund as a special fund to be used to support certain programs relating to tobacco use prevention and cessation; establishing the Maryland Medicaid Trust Fund as a special fund to be used to provide certain health care services to certain individuals; establishing the Health Care Personnel Training Fund as a special fund to be used to provide grants to certain training consortiums; 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  
(2010 Replacement Volume)

BY adding to

Article – Health – General  
Section 7–207, 8–207, 10–209, 13–1016, and 15–103.6  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Labor and Employment  
Section 11–1015  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 122 – Delegates Howard, Aumann, Bates, Braveboy, Cane, Eckardt, Frush, Gaines, Griffith, Haynes, Holmes, Jameson, Nathan–Pulliam, Pena–Melnik, B. Robinson, Stocksdale, Summers, and Washington**

AN ACT concerning

**Election Law – Use of Campaign Funds for Meeting and Conference Expenses and Other Activities**

FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals, and registration expenses to attend certain meetings or conferences and other activities as an allowable expenditure of funds from a campaign account under the State election law; prohibiting a campaign finance entity from using campaign funds for certain personal expenses; requiring the State Board of Elections to adopt certain regulations; prohibiting a responsible officer of a campaign finance entity from issuing or authorizing an expenditure except as authorized by the State election law; and generally relating to the use of campaign funds to pay expenses for a candidate's or an elected official's attendance at certain meetings and conferences and certain other activities.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(o) and 13–218  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 1–101(aa), 13–245, and 13–602  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 123 – Delegates Stukes, Alston, Anderson, Boteler, Conaway, Glenn, Gutierrez, Harrison, Haynes, Howard, A. Miller, Murphy, Ross, Walker, and Washington**

AN ACT concerning

**Maryland Transit Administration – Audio and Video Recording Devices on Vehicles Used for Transit Service**

FOR the purpose of requiring the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, to activate the audio recording device; requiring the Administration to install and activate a certain audio recording device on certain vehicles procured by the Administration on or after a certain date; requiring the Administration to post a certain notice on each vehicle equipped with an audio recording device; limiting, to certain persons and only for certain purposes, the review of any audio recording that is made on a vehicle used to provide transit service; requiring the Administration, in cooperation with the Office of the Attorney General, to adopt certain regulations; requiring the Administration to ensure that any video recording device installed on certain vehicles be focused in a certain manner during certain times; and generally relating to audio and video recording devices on vehicles used to provide transit service.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(l) and (n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 7–705.1 and 7–705.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 124 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Insurance Administration – Program Evaluation**

FOR the purpose of requiring that an evaluation under the Maryland Program Evaluation Act of the Maryland Insurance Administration and the statutes and regulations that relate to the Administration be performed on or before a certain date; and generally relating to the Maryland Insurance Administration.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 125 – Delegates Stukes, Alston, Anderson, Barnes, Boteler, Clippinger, Conaway, Glenn, Gutierrez, Harrison, Haynes, Howard, A. Miller, Murphy, B. Robinson, Ross, and Walker**

AN ACT concerning

**Vehicle Laws – Accidents Involving Self-Insured Vehicles – Required Information**

FOR the purpose of requiring the driver of a certain self-insured vehicle involved in an accident to give evidence of self-insurance in the form required by the Motor Vehicle Administration to certain persons; requiring the Administration to adopt certain regulations; requiring the evidence of self-insurance to include certain information; and generally relating to evidence of self-insurance for self-insured vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 20–104(b) and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 20–105.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 126 – Delegates Howard, Aumann, Bates, Cane, Holmes, Morhaim, B. Robinson, Stocksdale, and Summers**

AN ACT concerning

**Election Law – Days of Early Voting**

FOR the purpose of altering the days on which early voting centers are open before regularly scheduled primary and general elections; and generally relating to the days on which early voting occurs.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 127 – Delegates Walker, Alston, Barnes, Boteler, Braveboy, Bromwell, Cane, Cardin, Davis, Feldman, Frick, Frush, George, Haddaway–Riccio, Holmes, Hough, Howard, Hubbard, Kipke, Love, A. Miller, Niemann, Oaks, Olszewski, Pena–Melnyk, Proctor, Ross, Schuh, Sophocleus, Stocksdales, Stukes, Tarrant, F. Turner, Vaughn, Washington, Wilson, and Zucker**

AN ACT concerning

**State Board of Education – Financial Literacy Curriculum – Graduation Requirement**

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to  
Article – Education  
Section 7–205.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 128 – Delegates Jameson, Anderson, Arora, Bobo, Bohanan, Braveboy, Cardin, Carr, Eckardt, Frush, Gaines, Gutierrez, Howard, James, Kach, Kaiser, K. Kelly, Krebs, Luedtke, McConkey, Minnick, Murphy, Pena–Melnyk, B. Robinson, Sophocleus, Valderrama, Vaughn, Waldstreicher, Washington, Wilson, and Wood**

AN ACT concerning

**Commercial Law – Maryland Consumer Protection Act – Scope**

FOR the purpose of expanding the scope of the Maryland Consumer Protection Act by altering the definition of “consumer” to include an individual who sells or offers for sale to a merchant certain consumer goods, consumer services, or consumer realty; prohibiting a person from engaging in a certain unfair or deceptive trade practice in the purchase or offer for purchase by a merchant of consumer goods, consumer services, or consumer realty; and generally relating to the Maryland Consumer Protection Act.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 13–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–101(c) and 13–303  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 129 – Delegates Holmes, O’Donnell, and Beitzel**

AN ACT concerning

**Natural Resources – Deer Hunting – Sundays**

FOR the purpose of repealing certain provisions of law authorizing a person to hunt deer on private property in certain counties on certain Sundays under certain circumstances; authorizing the Department of Natural Resources to allow a person to hunt deer on private property in certain counties on certain Sundays under certain circumstances; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 130 – Delegates Braveboy, Burns, Cane, Carr, Carter, Gaines, Howard, Pena–Melnik, B. Robinson, Ross, V. Turner, Valderrama, Washington, and Wilson**

AN ACT concerning

**Vehicle Laws – Race–Based Traffic Stops**

FOR the purpose of requiring certain law enforcement officers to record certain information pertaining to traffic stops; requiring certain law enforcement agencies to report certain information to the Maryland Justice Analysis Center (MJAC); requiring the Police Training Commission to develop a certain format and guidelines and a standardized format for the reporting of certain data; requiring the Police Training Commission to develop a certain model policy; requiring the MJAC to analyze certain data based on a methodology developed in conjunction with the Police Training Commission; requiring the MJAC to make certain reports to the General Assembly, the Governor, and law enforcement agencies; requiring law enforcement agencies to adopt certain policies regarding race–based traffic stops for certain purposes; requiring the MJAC to report to the Police Training Commission law enforcement agencies that fail to comply with certain reporting requirements; requiring specified actions following a report on the failure of a law enforcement agency to comply; providing certain exceptions applicable to law enforcement agencies that are subject to certain agreements; defining certain terms; requiring the Governor to appropriate certain funding in each fiscal year to assist local law enforcement agencies to implement certain provisions of this Act; and generally relating to law enforcement procedures and traffic stops.

BY adding to

Article – Transportation

Section 25–113

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 131 – Delegates Stukes, Alston, Anderson, Barnes, Glenn, Gutierrez, Harrison, Haynes, Howard, A. Miller, Mitchell, Murphy, B. Robinson, Tarrant, and Washington**

AN ACT concerning

**Health – Clean Indoor Air Act – Smoking in Transit Passenger Shelters Prohibited**

FOR the purpose of prohibiting a person from smoking in certain transit passenger shelters; establishing the intent of the General Assembly to protect the public



and employees from involuntary exposure to environmental tobacco smoke in transit passenger shelters; requiring the Department of Health and Mental Hygiene to adopt regulations that prohibit environmental tobacco smoke in transit passenger shelters; requiring the Department to report to the General Assembly on certain enforcement efforts; establishing that certain penalties apply to a person who smokes in certain transit passenger shelters; repealing a certain obsolete provision; defining a certain term; and generally relating to prohibiting smoking in transit passenger shelters.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 24–501(a) and 24–508(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 24–501(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 24–502, 24–504, and 24–507  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### QUORUM CALL

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

(See Roll Call No. 20)

### ADJOURNMENT

At 8:31 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 25, 2011.

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**Annapolis, Maryland**  
**Tuesday, January 25, 2011**

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The House met at 10:04 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 133 Members present.

(See Roll Call No. 21)

The Journal of January 24, 2011 was read and approved.

**EXCUSES:**

Del. Howard – brother-in-law's death

**INTRODUCTION OF BILLS**

**House Bill 132 – Chair, Judiciary Committee (By Request – Departmental –  
Public Safety and Correctional Services)**

AN ACT concerning

**Department of Public Safety and Correctional Services – Secretary – Acting  
Capacity**

FOR the purpose of adding certain members of the executive staff of the Secretary of Public Safety and Correctional Services to a list of individuals who may be designated to serve as acting Secretary when the Secretary is absent from the State or otherwise unavailable; requiring the Secretary to designate one individual from the list to serve as acting Secretary under certain circumstances; and generally relating to the Secretary of Public Safety and Correctional Services.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 2–102 and 2–105

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 133 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Courts and Judicial Proceedings – Juvenile Records – Access by the Division of Pretrial Detention and Services**

FOR the purpose of providing that certain laws relating to the confidentiality of juvenile police and court records do not prohibit access to and use of certain juvenile records by the Maryland Division of Pretrial Detention and Services under certain circumstances; and generally relating to juvenile records.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–27  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 134 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period**

FOR the purpose of altering the time period after which a local department of social services is required to expunge certain reports and records of suspected child abuse and neglect; and generally relating to expungement of reports of child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–707  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 135 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Courts and Judicial Proceedings – Crime Victims and Witnesses Funds –  
Court Costs**

FOR the purpose of increasing certain costs imposed by a circuit court and the District Court for certain crimes and offenses; and generally relating to costs in criminal cases.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 136 – Chair, Judiciary Committee (By Request – Departmental –  
Public Safety and Correctional Services)**

AN ACT concerning

**Family Law – Temporary Protective Orders – Electronic Notification of  
Service**

FOR the purpose of requiring that the system used for the electronic notification of service of a temporary protective order be approved and provided by the Department of Public Safety and Correctional Services; and generally relating to electronic notification of the service of a temporary protective order.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–505(a)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary

**House Bill 137 – Chair, Judiciary Committee (By Request – Departmental –  
Human Resources)**

AN ACT concerning

**Child Abuse and Neglect – Child Welfare – Alternative Response**

FOR the purpose of authorizing the Secretary of Human Resources to establish an alternative response program for selected reports of child abuse or neglect; requiring local departments of social services to participate in the development of the alternative response program; prohibiting certain reports of child abuse or neglect from being assigned for an alternative response; authorizing certain reports assigned for an alternative response to be reassigned for an immediate investigation based on certain factors; authorizing certain reports assigned for an investigation to be reassigned for an alternative response based on certain factors; requiring a local department to take certain actions following a report referred for an alternative response; providing for the confidentiality and maintenance of certain records; requiring the Social Services Administration to develop a certain data collection process; requiring the Department of Human Resources to submit a certain assessment and recommendations to the General Assembly; and generally relating to child abuse and neglect.

BY adding to

Article – Family Law

Section 5–705.2

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 138 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Law – Contraband – Telecommunication Devices – Penalties**

FOR the purpose of making certain offenses relating to possessing, delivering, concealing, or receiving a telecommunication device in a place of confinement a felony; increasing certain maximum penalties; and generally relating to telecommunication devices in places of confinement.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 9–417

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**House Bill 139 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Child Abuse and Neglect – Waiver of Reunification Services**

FOR the purpose of altering the circumstances under which a local department of social services may ask the court in a child in need of assistance proceeding to find that reasonable reunification efforts are not required; altering the factors that a juvenile court is required to consider in ruling on a petition for guardianship of a child; altering the circumstances under which a juvenile court may waive a local department's obligations to provide certain services to a parent; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–812  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–323  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 140 – Chair, Judiciary Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Public Safety – Explosives – Definitions**

FOR the purpose of altering the term “explosives”, as that term applies to provisions relating to manufacturer's and dealer's explosives licenses and licenses to possess certain explosives, to include bombs designed to operate in a certain manner and certain combinations of components that are sold or offered for sale together for the purpose of being combined to create an explosive; and generally relating to the definition of explosives.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 11–101(a) and 11–105(a)  
Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 11–101(c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

### **House Bill 141 – Delegate Szeliga**

AN ACT concerning

#### **Property Tax – Assessment Appeal Hearings – Right to Record**

FOR the purpose of authorizing a taxpayer to record certain property tax appeal hearings at the taxpayer's expense; adding a certain right of taxpayers in the Property Owner's Bill of Rights; and generally relating to certain rights of property owners.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 1–402 and 14–510  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 142 – Delegates Aumann, Frank, Barve, Bates, Eckardt, Haddaway–Riccio, Kramer, Luedtke, Minnick, Stocksdales, Szeliga, and Weir**

AN ACT concerning

#### **State Government – Commemorative Month – German–American Heritage Month**

FOR the purpose of requiring the Governor to proclaim a certain month each year as German–American Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to German–American Heritage Month.

BY adding to  
Article – State Government  
Section 13–504  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

## APPOINTMENTS

January 25, 2011

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

### JOINT COMMITTEE ON LEGISLATIVE ETHICS

Hon. Brian K. McHale, Chair  
Hon. Susan L. M. Aumann  
Hon. Rudolph C. Cane  
Hon. Adrienne A. Jones  
Hon. Wade Kach  
Hon. Mary Ann Love

### JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS

Hon. Ana Sol Gutierrez, Chair  
Hon. Carolyn J. B. Howard  
Hon. Guy J. Guzzone  
Hon. Andrew A. Serafini

### JOINT COMMITTEE ON INFORMATION TECHNOLOGY AND BIOTECHNOLOGY

Hon. Brian J. Feldman, Chair  
Hon. Kumar P. Barve  
Hon. Dan K. Morhaim  
Hon. John A. Olszewski, Jr.  
Hon. Steven R. Schuh  
Hon. Michael L. Vaughn

BY ORDER,  
MARY MONAHAN,  
CHIEF CLERK

Read and adopted.

## QUORUM CALL



The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 22)

**ADJOURNMENT**

At 10:14 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 26, 2011.

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**Annapolis, Maryland**  
**Wednesday, January 26, 2011**

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The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 108 Members present.

(See Roll Call No. 23)

The Journal of January 25, 2011 was read and approved.

**EXCUSES:**

Del. Carr – personal

Del. Harrison – personal

Del. Howard – brother-in-law's death

Del. Hucker – late – business

Del. A. Kelly – funeral

Del. Szeliga – personal

**INTRODUCTION OF BILLS**

**House Bill 143 – Delegates B. Robinson, Braveboy, Cane, Conaway, Howard,  
A. Miller, Mitchell, Oaks, Stukes, Tarrant, F. Turner, and V. Turner**

AN ACT concerning

**Minority Business Participation – The Ray Haysbert Waiver Disclosure and  
Termination Extension Act**

FOR the purpose of requiring certain regulations adopted by the Board of Public Works to provide for the disclosure of each waiver of obligations under the Minority Business Enterprise Program and the reason for each waiver; altering the record keeping and reporting requirements of the Board with respect to a waiver of Program obligations; continuing until a certain date certain provisions of the State Procurement Law relating to procurement from minority businesses; requiring a certain study and a final report on the study by a certain date; providing for the effective dates of this Act; and generally relating to minority business participation in State procurement.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–302(a)(6)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–303 and 14–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 116 of the Acts of the General Assembly of 1995, as amended by  
Chapters 495 and 496 of the Acts of the General Assembly of 2000,  
Chapter 339 of the Acts of the General Assembly of 2001, and Chapter  
359 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 144 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Chesapeake Grove – Senior Housing and Intergenerational 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 Delmarva Community 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; 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 145 – Delegates Hubbard, Barnes, Bobo, Branch, Braveboy, Costa, Cullison, Frush, Gaines, Holmes, Hucker, A. Kelly, Lee, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Rosenberg, Ross, Tarrant, V. Turner, Valentino–Smith, Waldstreicher, Walker, and Zucker**

AN ACT concerning

**Health – Cadmium in Children’s Jewelry – Prohibition**

FOR the purpose of prohibiting a person, on or after a certain date, from manufacturing, selling, offering for sale, or distributing in the State certain children’s jewelry that contains a certain amount of cadmium; requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to adopt certain regulations; providing that this Act does not apply to certain toys regulated under a certain federal law; defining certain terms; and generally relating to a prohibition on cadmium in children’s jewelry.

BY adding to

Article – Health – General  
Section 24–305  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 146 – Delegates Hough, Aumann, Bates, Boteler, Cluster, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Ricchio, Hershey, Hogan, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McDermott, McDonough, McMillan, W. Miller, Norman, O’Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdales, Szeliga, and Vitale**

AN ACT concerning

**State Government – Commemorative Days – Ronald Reagan Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Ronald Reagan Day; requiring the proclamation to urge the citizens of the State of Maryland to observe Ronald Reagan Day in a proper manner; and generally relating to commemorative days.

BY adding to

Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 147 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Raffles**

FOR the purpose of authorizing the Board of County Commissioners for Frederick County to determine the number of raffles that certain organizations in Frederick County may conduct in a calendar year; and generally relating to raffles in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1304(a) and (b)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1304(f)(2)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–1304(f)(4)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 148 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Board of Elections – Membership**

FOR the purpose of increasing the number of regular members and eliminating substitute members on the Frederick County Board of Elections; requiring the members of the board to be of certain political parties; requiring that a vacancy on the board be filled in a certain manner; making a conforming change; making a stylistic change; and generally relating to the Frederick County Board of Elections.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2–201(a) and (b)  
Annotated Code of Maryland

(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201(l) and 2–204(b)(2)(ii)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

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

### **House Bill 149 – Frederick County Delegation**

AN ACT concerning

#### **Frederick County – Adult Detention Center – Fees**

FOR the purpose of altering certain medical and dental fees for individuals incarcerated in the Frederick County Adult Detention Center; establishing a processing fee, incarceration fee, and general educational development administrative fee for certain individuals in the Center; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–203(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 11–712(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Correctional Services  
Section 11–712(e) and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 150 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Wine Consumption – Restaurants and Clubs**

FOR the purpose of allowing an individual in a restaurant or club for which a certain alcoholic beverages license is issued in Frederick County to consume under certain circumstances wine not purchased from or provided by the restaurant or club; authorizing a license holder to charge an individual a certain fee under certain circumstances; applying the sales tax to the fee; requiring a certain individual to dispose of or remove certain wine after finishing a meal; allowing an individual to remove from the licensed premises a bottle of wine, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an “open container” for a certain purpose; altering a certain definition; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 151 – Delegates Beitzel, K. Kelly, Minnick, and Myers**

AN ACT concerning

**Maryland Veterans Trust Fund – Income Tax Checkoff**

FOR the purpose of establishing an income tax checkoff for the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on individual income tax return forms for voluntary contributions to the Fund and to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff

system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; providing for the application of this Act; and generally relating to an income tax checkoff for contributions to the Maryland Veterans Trust Fund.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Tax – General  
Section 2–114 and 10–804(j)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 152 – Delegates Beitzel, Minnick, and Stifler**

AN ACT concerning

#### **Elevator Safety – Elevator Units in Places of Worship – Exemption from Third-Party Inspections**

FOR the purpose of requiring a State inspector to make certain periodic annual inspections of elevator units in any building used primarily for public religious worship that has a single level platform lift or stairway chair lift; altering a requirement that third-party qualified elevator inspectors be hired to conduct certain elevator inspections by requiring that certain elevator inspections be made by a State inspector under certain circumstances; making a certain conforming change; and generally relating to inspections of elevator units.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–809 and 12–812  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

### **House Bill 153 – Delegates W. 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  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 10–304.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 11–402  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 154 – Delegate Krebs**

AN ACT concerning

#### **Unemployment Insurance – Religious Organizations – Disclosure of Exemption from Covered Employment**

FOR the purpose of requiring certain employers to give certain notice, through a universal disclosure form, to employees whose employment is not covered employment for purposes of unemployment insurance benefits; requiring certain employers to require certain employees to sign the universal disclosure form; requiring the Department of Labor, Licensing, and Regulation to create the universal disclosure form and post the form on the Department's Web site; and generally relating to disclosure of exemption from covered employment by religious organizations.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–208

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 155 – Delegates Eckardt, Dwyer, Haddaway–Riccio, and Impallaria**

AN ACT concerning

**Vehicle Laws – Specially Constructed Vehicles – Titling and Registration**

FOR the purpose of clarifying that the Motor Vehicle Administration may issue certificates of title for and register certain specially constructed vehicles; providing for the registration classification for specially constructed vehicles; establishing an annual registration fee for a specially constructed vehicle; requiring an applicant for registration of a specially constructed vehicle to certify that the vehicle will be used only according to certain standards; requiring the Administration to issue a certain special registration plate for specially constructed vehicles; exempting specially constructed vehicles from certain equipment and inspection requirements; altering and expanding the application of the defined term “specially constructed vehicle”; providing that the defined term “vehicle” does not include specially constructed vehicles for the purpose of certain inspection requirements; and generally relating to the titling and registration of specially constructed vehicles.

BY adding to

Article – Transportation  
Section 11–159.1, 13–937.2, and 23–206.2(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 13–101.1, 13–402(a)(1), and 23–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 13–104.2, 22–101(e)(1), 23–101(i)(3), and 23–206.2(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 156 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Health Insurance – Small Group Market – Self-Employed Individuals – Sunset Extension**

FOR the purpose of extending the termination date of certain provisions of law relating to health insurance policies for self-employed individuals in the small group insurance market; and generally relating to the small group insurance market.

BY repealing and reenacting, without amendments,  
Chapter 347 of the Acts of the General Assembly of 2005, as amended by  
Chapter 59 of the Acts of the General Assembly of 2007  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 347 of the Acts of the General Assembly of 2005, as amended by  
Chapter 76 of the Acts of the General Assembly of 2008  
Section 4

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

**House Bill 157 – Delegates B. Robinson, Alston, Braveboy, Cane, Carter, Conaway, Dumais, Eckardt, Frush, Gaines, Glenn, Griffith, Gutierrez, Haddaway-Riccio, Haynes, Healey, Hixson, Holmes, Howard, Jones, Kaiser, Lee, McIntosh, McMillan, A. Miller, Mitchell, Mizeur, Nathan-Pulliam, Oaks, Pena-Melnyk, Sophocleus, Stocksdale, Stukes, Tarrant, V. Turner, and Washington**

AN ACT concerning

**State Government – Commemorative Days – Maryland Women’s History Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Women’s History Day; and generally relating to commemorative days.

BY adding to  
Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 158 – Delegates B. Robinson, Bobo, Boteler, Braveboy, Cane, Conaway, Glenn, Gutierrez, Holmes, Howard, McDonough, A. Miller, Oaks, Stocksdale, Stukes, Tarrant, and V. Turner**

AN ACT concerning

**Consumer Protection – Consumer Debt Collection – Prohibited Acts**

FOR the purpose of prohibiting a person that collects or attempts to collect an alleged debt arising out of a certain consumer transaction from communicating with the debtor or a person related to the debtor until after a certain period of time; making certain stylistic changes; and generally relating to collection of debts relating to consumer transactions.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–201  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 159 – Delegates Cardin, Barnes, Bobo, Carr, Frick, Frush, Hubbard, Hucker, Kaiser, Luedtke, Niemann, Pena–Melnik, Pendergrass, and Reznik**

AN ACT concerning

**Public Funding and Small Donor Act for General Assembly Elections**

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws

enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to raise certain supplemental private contributions under certain circumstances; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Public Funding and Small Donor Act for General Assembly Elections.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226, 13–227, and 13–235

Annotated Code of Maryland

(2010 Replacement Volume)

BY adding to

Article – Election Law

Section 13–505; and 15–101 through 15–118 to be under the new title “Title 15. Public Funding and Small Donor Act for General Assembly Elections”  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 160 – Delegates Lafferty, Aumann, Boteler, Cardin, Cluster, DeBoy, Frank, Kach, Morhaim, Stein, and Weir**

AN ACT concerning

**Baltimore County Public Schools – Funding Accountability and  
Transparency Act**

FOR the purpose of requiring the Baltimore County Board of Education to develop and operate a certain Web site that includes certain information about certain payments; specifying certain parameters of the Web site; defining certain terms; and generally relating to the development and operation of a searchable Web site by the Baltimore County Board of Education.

BY adding to

Article – Education  
Section 5–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 161 – The Speaker (By Request – Administration) and Delegates Anderson, Arora, Barkley, Clippinger, Davis, Dumais, Mitchell, Niemann, Reznik, Waldstreicher, and Wilson**

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 2010 Supplement)

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

**House Bill 162 – The Speaker (By Request – Administration) and Delegates Clagett, Arora, Cullison, Dumais, Lee, Mitchell, Niemann, Reznik, Stein, and Valderrama**

AN ACT concerning

**Criminal Law – Child Neglect – Penalties**

FOR the purpose of prohibiting a parent, family member, household member, or other person who has permanent or temporary care or custody or responsibility for supervision of a minor from neglecting the minor; establishing certain penalties for a violation of this Act; establishing a certain affirmative defense for a violation of this Act; providing that a sentence imposed for a violation of this Act may be separate from and consecutive to or concurrent with a certain other sentence; providing for the construction of this Act; defining certain terms; and generally relating to child neglect.

BY adding to

Article – Criminal Law

Section 3–602.1

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**House Bill 163 – The Speaker (By Request – Administration) and Delegates Barve, Hixson, Cardin, Kaiser, Rosenberg, Stein, and F. Turner**

AN ACT concerning

**Income Tax – Tax Credit for Electric Vehicle Recharging Equipment**

FOR the purpose of allowing a credit against the State income tax for certain qualified electric vehicle recharging equipment for certain tax years; requiring the Maryland Energy Administration to administer the tax credit program; providing for the amount of tax credit certificates that may be issued by the Administration; authorizing the Administration to adopt certain regulations; transferring certain money from the Strategic Energy Investment Fund to the General Fund in certain fiscal years; and generally relating to an income tax credit for certain qualified electric vehicle recharging equipment.

BY adding to

Article – Tax – General

Section 10–729  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 164 – The Speaker (By Request – Administration) and Delegates  
Jameson, Cardin, and Stein**

AN ACT concerning

**Electric Companies – Demand Response Pilot Program for Charging Electric  
Vehicles**

FOR the purpose of requiring the Public Service Commission to establish by a certain date a demand response pilot program for charging electric vehicles; authorizing an electric company to request to participate in the pilot program; requiring the program to include certain incentives for certain purposes; requiring a certain report to the Governor and the General Assembly by a certain date; and generally relating to a demand response pilot program for charging electric vehicles.

BY adding to

Article – Public Utilities  
Section 7–211(m)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 165 – The Speaker (By Request – Administration) and Delegates  
Hammen, Hubbard, Anderson, Arora, Barnes, Cullison, Dumais,  
Gutierrez, Guzzone, Huckler, A. Kelly, Lee, Morhaim, Nathan–Pulliam,  
Pena–Melnyk, Pendergrass, Reznik, Rosenberg, V. Turner, and Zucker**

AN ACT concerning

**Maryland Health Quality and Cost Council**

FOR the purpose of establishing the Maryland Health Quality and Cost Council; providing for the membership of the Council; requiring the Council to meet a certain number of times each year; providing that a certain number of members of the Council constitutes a quorum; prohibiting members of the Council from receiving compensation, but entitling members to reimbursement for certain expenses; providing that members of the Council are subject to certain provisions of law; establishing the purposes of the Council; requiring the Council to avoid duplication of certain efforts; authorizing the Council to adopt



certain policies and conduct certain activities; requiring the Council to submit a certain report to the Governor and the General Assembly on or before a certain date each year; defining certain terms; specifying the terms of the initial appointed members of the Council; and generally relating to the Maryland Health Quality and Cost Council.

BY adding to

Article – Health – General

Section 13–3001 through 13–3005 to be under the new subtitle “Subtitle 30.  
Maryland Health Quality and Cost Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 166 – The Speaker (By Request – Administration) and Delegates Hammen, Hubbard, Anderson, Arora, Barnes, Cullison, Dumais, Gutierrez, Guzzone, Huckler, A. Kelly, Lee, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, Rosenberg, V. Turner, and Zucker**

AN ACT concerning

### **Maryland Health Benefit Exchange Act of 2011**

FOR the purpose of establishing the Maryland Health Benefit Exchange as an independent unit of State government; providing that the exercise by the Exchange of its authority under this Act is an essential governmental function; establishing the purposes of the Exchange; providing for the construction of certain provisions of this Act and certain regulations and actions; providing that the Exchange is subject to certain provisions of law; establishing the Board of Trustees of the Exchange; providing for the qualifications, appointment, terms, and removal of members of the Board; prohibiting a member of the Board or a member of the staff of the Exchange from having a certain affiliation with certain persons and entities; establishing certain rules governing action by the Board; establishing certain powers and duties of the Board; requiring a member of the Board to perform the member’s duties in accordance with certain standards; requiring the Board to appoint an Executive Director of the Exchange, with the approval of the Governor, and to determine the Executive Director’s compensation; establishing the duties of the Executive Director; authorizing the Executive Director to employ and retain a certain staff; requiring the Secretary of Budget and Management to review and make certain recommendations about certain changes to the Exchange’s salary plans proposed by the Executive Director; providing that an employee or independent contractor of the Exchange is not subject to certain laws, regulations, or executive orders; establishing the Maryland Health Benefit Exchange Fund as a special, nonlapsing fund; specifying the contents and purpose of the Fund;

requiring the State Treasurer to hold the Fund separately and invest the money of the Fund; requiring the Comptroller to account for the Fund; establishing certain functions and duties of the Exchange; prohibiting the Exchange and certain insurance carriers from charging certain fees or penalties; requiring the Exchange, in carrying out certain duties, to consult with certain stakeholders; requiring the Exchange to certify certain health benefit plans as qualified health plans; establishing certain requirements for certification as a qualified health plan; prohibiting the Exchange from making available any health benefit plans that are not qualified health plans; requiring each carrier that seeks certification of a health benefit plan to take certain actions; providing that certain requirements applicable to qualified health plans also apply to qualified dental plans; authorizing the Exchange to impose certain fees or assessments or otherwise generate funding necessary to support its operations; requiring certain funds to be deposited in the Maryland Health Benefit Exchange Fund; requiring the Exchange to maintain a certain Web site and publish certain information on the Web site; requiring the Exchange to be administered in a certain manner; requiring the Exchange to keep an accurate accounting of all its activities, expenditures, and receipts; requiring the Board to report certain information to certain individuals on an annual basis; requiring the Board to cooperate with any investigation into the affairs of the Exchange conducted by certain individuals; defining certain terms; prohibiting the Exchange from implementing certain functions or imposing certain requirements before certain guidance is received; prohibiting the Exchange from implementing certain functions or imposing certain requirements before certain studies are conducted, reports are made, and actions are taken by the Governor and the General Assembly; expressing the intent of the General Assembly regarding the appointment of certain members of the Board; requiring the Exchange to conduct certain studies and make certain recommendations to the Governor and the General Assembly; requiring the Exchange to report its findings and recommendations on or before certain dates; and generally relating to the Maryland Health Benefit Exchange.

BY adding to

Article – Insurance

Section 31–101 through 31–111 to be under the new title “Maryland Health Benefit Exchange”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 167 – The Speaker (By Request – Administration) and Delegates Stein and Cardin**

AN ACT concerning

**Maryland Electric Vehicle Infrastructure Council**

FOR the purpose of establishing the Maryland Electric Vehicle Infrastructure Council; specifying the membership and staffing of the Council; requiring the Governor to designate the chair or cochairs of the Council; requiring the Council to perform certain duties and make certain recommendations; prohibiting members of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Council to submit an interim and a final report by certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Maryland Electric Vehicle Infrastructure Council.

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

**House Bill 168 – Delegates Walker, Alston, Barnes, Bobo, Boteler, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Costa, Dwyer, Feldman, Frush, George, Healey, Holmes, Howard, Hubbard, Ivey, Kach, Kipke, Lafferty, Minnick, Mitchell, Oaks, Olszewski, Pena–Melnyk, Proctor, Reznik, Ross, Schuh, Simmons, V. Turner, Valderrama, Vaughn, Waldstreicher, Weir, and Wilson**

AN ACT concerning

**Student Health and Fitness Act**

FOR the purpose of requiring a public school student in elementary school to be provided a certain minimum level of a program of physical activity each week; requiring that the program of physical activity for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate certain activities; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; requiring a county school system that receives a certain extension to have a plan to ensure the county school system's compliance with this Act by a certain date; and generally relating to student health and fitness.

BY renumbering

Article – Education

Section 7–409(b), (c), (d), (e), and (f), respectively

to be Section 7–409(c), (d), (e), (f), and (g), respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–205(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–409(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Education

Section 7–409(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 169 – Delegates Glenn and Haddaway–Riccio**

AN ACT concerning

#### **Criminal Law – Dangerous Dogs – Registration and Penalties**

FOR the purpose of requiring the owner of a dangerous dog to obtain a certain registration certificate from a local animal control unit within a certain period of time; requiring the owner to pay a certain fee set by the animal control unit; requiring a certain registration certificate to include certain information; requiring a local animal control unit to issue a certain registration certificate if the owner of a dangerous dog provides certain satisfactory evidence; requiring a certain registration certificate to be renewed annually at a fee set by the local animal control unit; requiring the owner of a dangerous dog to notify the local animal control unit of certain changes in information; requiring certain animal control units to forward certain information to the State Board of Veterinary Medical Examiners in the State Department of Agriculture; requiring the Board to publish certain information on a certain Web site; prohibiting a person from importing a dangerous dog into the State; prohibiting a person from selling, adopting, or otherwise transferring a dangerous dog in the State to another person other than an animal control unit; establishing certain penalties for certain violations of this Act; establishing certain penalties for the owner of a dangerous dog if the dangerous dog kills or inflicts injury on a person or on a domestic animal; establishing a certain penalty for the owner of a dangerous dog if the dog kills or inflicts severe injury on a person caused by the owner's gross negligence or reckless, wanton, or intentional misconduct; prohibiting a court from imposing less than a certain mandatory minimum sentence; prohibiting a court from suspending any part of a certain mandatory minimum sentence; requiring an owner of a potentially dangerous dog who sells or gives the dog to another to make a certain written notification; removing a certain act from the list of acts for which a certain unit may determine that a dog is

potentially dangerous; defining certain terms; and generally relating to registration of dangerous dogs.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–619  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 170 – The Speaker (By Request – Administration) and Delegates Hammen, Hubbard, Anderson, Arora, Barnes, Cullison, Dumais, Gutierrez, Guzzone, Huckler, A. Kelly, Lee, Morhaim, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, Rosenberg, V. Turner, and Zucker**

AN ACT concerning

**Health Insurance – Conformity with Federal Law**

FOR the purpose of altering the circumstances under which a person has the right to a hearing and the right to an appeal from an action of the Maryland Insurance Commissioner; providing that certain provisions of federal law apply to certain insurers, nonprofit health service plans, and health maintenance organizations; authorizing the Commissioner to enforce certain provisions of law; altering the requirement for certain insurers, nonprofit health service plans, and health maintenance organizations to send a certain notice when a child who is covered under a certain insurance policy or contract reaches a certain age; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to comply with certain loss ratio requirements; authorizing a member's representative to file a certain grievance, complaint, or appeal; altering the circumstances under which a certain complaint may be filed with the Commissioner; altering requirements for certain filings, timeframes, and evidence of coverage information relating to appeals and grievances; requiring certain carriers to provide certain notices to certain members in a manner described in the Patient Protection and Affordable Care Act; altering the calculation of a minimum participation requirement in the small group health insurance market; requiring the Maryland Health Care Commission to include certain mental health and substance abuse benefits under the Standard Health Benefit Plan; making certain provisions of this Act applicable to health maintenance organizations; altering certain definitions; defining certain terms; making conforming and technical changes; providing for the application of this Act; and generally relating to conformity with federal law relating to health insurance and mental health benefits.

BY repealing and reenacting, without amendments,  
Article – Insurance

Section 1–101(a) and (b)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 1–101(b–1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 2–210(a) and 2–215(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 15–137.1, 15–10A–01(m), 15–10A–10, and 15–10D–05  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–416, 15–605(c), 15–802(a), 15–10A–01(f) and (m), 15–10A–02,  
15–10A–03, 15–10A–04(a), 15–10D–01, 15–10D–02, 15–1206(c), and  
15–1207  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–10A–01(a) and (l)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–703.1(a) and 19–732(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 171 – The Speaker (By Request – Administration) and Delegates  
Barkley, Barnes, Clagett, Gaines, Gutierrez, Haynes, Hubbard,  
Nathan–Pulliam, Stukes, V. Turner, Valderrama, and Zucker**

AN ACT concerning

**Collective Bargaining – Independent Home Care Providers**

FOR the purpose of establishing collective bargaining rights for certain independent home care providers; providing that there may be only one appropriate bargaining unit for certain independent home care providers; authorizing providers to designate an exclusive representative; requiring that certain procedures relating to the election and certification of an exclusive representative, collective bargaining process, and bargaining agreements be governed by certain provisions of the collective bargaining law for State employees; prohibiting the State Labor Relations Board from conducting a certain election within a certain period; requiring an exclusive representative to represent all independent home care providers, whether or not they are members of the provider organization; providing for the scope of collective bargaining for independent home care providers; authorizing collective bargaining negotiations pertaining to independent home care providers to include, under certain circumstances, negotiations relating to the right of an employee organization to receive service fees from nonmembers; providing that certain independent home care providers are not required to pay certain fees and are required to make certain other payments; specifying that the certification of certain exclusive representatives under this Act does not prevent provider organizations or other persons from communicating with or appearing before or making proposals to certain State agencies at a public meeting or hearing; prohibiting a provider organization from calling or directing a strike; providing that the provisions of this Act may not alter certain rights of home care consumers with regard to independent home care providers; declaring the intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws; providing for the application and construction of this Act; providing that a certain provider organization certified as the majority representative in a certain election pursuant to a certain Executive Order shall continue as the exclusive representative without the requirement of an additional election and certification; defining certain terms; declaring that the provisions of this Act are severable; and generally relating to collective bargaining for independent home care providers.

BY adding to

Article – Health – General

Section 15–901 through 15–907 to be under the new subtitle “Subtitle 9.  
Collective Bargaining by Independent Home Care Providers”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 172 – The Speaker (By Request – Administration) and Delegates  
Anderson, Arora, Barkley, Clippinger, Davis, Dumais, Lee, Mitchell,  
Niemann, Reznik, Waldstreicher, and Wilson**

AN ACT concerning

**Criminal Law – Diminution Credits – Possession of a Regulated Firearm by  
Person Convicted of Crime of Violence**

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  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 173 – The Speaker (By Request – Administration) and Delegates  
Hixson, Alston, Barve, Bohanan, Branch, Cardin, Davis, Feldman,  
Frick, Gaines, Healey, Howard, Ivey, Mizeur, Reznik, Rosenberg, Ross,  
Summers, Vallario, Walker, and Zucker**

AN ACT concerning

**Business and Economic Development – Invest Maryland Program**



FOR the purpose of establishing an Invest Maryland Program for certain purposes; establishing a Maryland Venture Capital Authority in the Department of Business and Economic Development for certain purposes; providing for the membership, terms, and duties of the Authority; allowing certain companies to purchase credits against the insurance premium tax in order to fund investments in qualified businesses in the State; providing for administration of the credit by the Department; limiting the total premium tax credits that may be allowed for all years; providing a minimum amount of designated capital for which premium tax credits may be allocated; requiring the Authority to obtain the services of an independent third party to conduct a bidding process for the purchase of certain tax credits for certain purposes; establishing certain requirements for certain offers for certain tax credit bids; establishing certain procedures for certain offers; requiring certain dedicated capital to be paid to the Enterprise Fund in certain amounts in accordance with certain procedures; providing for the issuance and award of certain tax credit certificates; providing for certain penalties; providing for the reallocation of certain designated capital under certain circumstances; authorizing the Department to purchase certain insurance for certain purposes; authorizing a purchase of certain premium tax credits to claim the credits for certain taxable years; providing for the transfer of certain tax credits; providing for the certification and renewal of certain entities as venture firms in accordance with certain procedures, with certain nonrefundable fees; providing for the allocation and use of certain designated capital by certain venture firms, the Enterprise Fund, and the Maryland Small Business Development Financing Authority; requiring a venture firm, the Enterprise Fund, and the Financing Authority to make certain qualified investments in qualified businesses in a certain manner within a certain period; authorizing certain qualified businesses to receive certain follow-on investments; providing for certain determinations concerning qualified businesses; prohibiting an insurance company from taking certain actions with respect to a venture firm; requiring the Department to report certain information to venture firms and the Financing Authority; requiring venture firms and the Financing Authority to report certain information at certain times to the Department; authorizing venture firms to make certain qualified distributions and nonqualified distributions in certain manners at certain times; requiring certain investments to terminate as of a certain date; providing for the treatment of certain designated capital in a certain manner for certain purposes; requiring the Department to submit certain information to the Maryland Insurance Administration; providing for the application of certain laws to certain services and transactions under this Act; authorizing the Department to adopt certain regulations; requiring the Department to submit an annual report to the Governor and the General Assembly on certain matters; providing for the initial terms of the members of the Maryland Venture Capital Authority; requiring the Department to prepare and submit a certain annual report; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to an insurance premium tax credit for investments in certain companies making investments in qualified businesses in the State and the Invest Maryland Program.

BY adding to

Article – Economic Development

Section 6–501 through 6–529 to be under the new subtitle “Subtitle 5. Invest Maryland Program”

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY adding to

Article – Insurance

Section 6–122

Annotated Code of Maryland

(2003 Replacement Volume and 2010 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 24)

### **ADJOURNMENT**

At 10:19 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 27, 2011.

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**Annapolis, Maryland**  
**Thursday, January 27, 2011**

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The House met at 10:06 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 130 Members present.

(See Roll Call No. 25)

The Journal of January 26, 2011 was read and approved.

**EXCUSES:**

Del. Harrison – inclement weather

Del. Howard – brother-in-law's death

Del. McDonough – personal – emergency

Del. W. Miller – business

Del. Sophocleus – inclement weather

Del. Stifler – inclement weather

**INTRODUCTION OF BILLS**

**House Bill 174 – Delegates Eckardt and Haddaway-Riccio**

**EMERGENCY BILL**

AN ACT concerning

**Election Law – Delay in Replacement of Voting Systems**

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-verifiable 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; making this Act an emergency measure; 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  
(2010 Replacement Volume)

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 175 – Delegates Barve, Barnes, Mitchell, Alston, Anderson, Arora, Barkley, Bobo, Bromwell, Carr, Carter, Clagett, Clippinger, Conaway, Cullison, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Hixson, Hubbard, Hucker, Ivey, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, McHale, McIntosh, A. Miller, Mizeur, Murphy, Niemann, Pena–Melnyk, Pendergrass, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Simmons, Stein, Stukes, Summers, Tarrant, F. Turner, Valderrama, Waldstreicher, Washington, and Zucker**

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 2010 Supplement)

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

**House Bill 176 – Delegate Eckardt**

AN ACT concerning

**State Retirement and Pension System – Reemployment of Retirees – Exemptions**

FOR the purpose of altering the number of years required after retirement for certain retirees of the State Retirement and Pension System to be exempt from a certain earnings offset of their retirement allowance when reemployed by certain employers; and generally relating to the reemployment of retirees in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(4)(i) and 23–407(c)(4)(iii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 177 – Delegates Lafferty, Beidle, Bobo, Cardin, Carr, Feldman, Frush, Gaines, Glenn, Hubbard, Hucker, Mizeur, Morhaim, Niemann, and Pena–Melnyk**

AN ACT concerning

**Environment – On–Site Sewage Disposal Systems – Nitrogen Removal**

FOR the purpose of prohibiting the installation of an on–site sewage disposal system in the State in the watersheds of the Chesapeake and Atlantic Coastal Bays to service a newly constructed building unless the system utilizes nitrogen removal technology; and generally relating to on–site sewage disposal systems with nitrogen removal technology.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a) and (q)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 178 – Delegates Alston, Anderson, Arora, Barnes, Braveboy, Carter, Conaway, Dumais, Griffith, Holmes, K. Kelly, Lee, McDermott, Mitchell, Oaks, Pena–Melnik, Ross, Simmons, Smigiel, Stukes, Valderrama, Valentino–Smith, Vallario, Waldstreicher, and Walker**

AN ACT concerning

**Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea**

FOR the purpose of providing that an appeal from a final judgment entered following a conditional plea of guilty may be taken in accordance with the Maryland Rules; and generally relating to the right of appeal from final judgments in criminal cases.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–302(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 179 – Delegate Lafferty**

AN ACT concerning

**Environment – Recycling – Apartment Buildings and Condominiums**

FOR the purpose of requiring owners or managers of apartment buildings or condominiums that contain a certain number of dwelling units to provide for recycling for residents on or before a certain date; requiring that the recycling required under this Act be done in accordance with certain recycling plans; providing for a civil penalty for a violation of this Act; providing for disbursement of penalties collected under this Act to certain jurisdictions; providing for the application of this Act; clarifying that this Act does not preempt or prevail over certain other legislation; and generally relating to recycling by owners or managers of certain apartment buildings and condominiums.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1703(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1703(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Environment  
Section 9–1711  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 180 – Delegates Nathan–Pulliam, Braveboy, Burns, Cane, Costa, Griffith, Hubbard, Jameson, Kach, Lee, Morhaim, Pena–Melnyk, and V. Turner**

AN ACT concerning

**Coverage of Donor Breast Milk – Infant Survival Act**

FOR the purpose of requiring the Department of Health and Mental Hygiene to reimburse a hospital for donor human breast milk provided to a Maryland Medical Assistance Program recipient under certain circumstances; and generally relating to reimbursement under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a), (h), and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 15–114.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 181 – Delegate Kipke**

AN ACT concerning

**Anne Arundel County – Towing and Removal of Vehicles from Parking Lots**

FOR the purpose of providing for the application to Anne Arundel County of certain provisions of law governing the towing and removal of vehicles from parking lots, including provisions governing signage, storage, towing and storage rates, notice, financial security for towers, prohibited acts, requirements for towers, and tower liability; and generally relating to the towing and removal of vehicles from parking lots in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–10A–01  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–10A–02 through 21–10A–06  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 182 – Delegates Stein, Rudolph, Hubbard, Beidle, Cardin, Frush, Lafferty, and Morhaim**

AN ACT concerning

**Alcohol Energy Drinks – Prohibition**

FOR the purpose of prohibiting the importation, production, distribution, sale, or offer for sale in the State of an alcoholic beverage commonly referred to as an alcohol energy drink to which the manufacturer has directly added caffeine or certain other substances as separate ingredients; providing a certain penalty; and generally relating to alcoholic beverages.

BY adding to  
Article 2B – Alcoholic Beverages  
Section 16–505.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 183 – Delegates Nathan–Pulliam, Pena–Melnik, and V. Turner**



AN ACT concerning

**State Board of Nursing – Electrologists – Examination and License Term**

FOR the purpose of authorizing the State Board of Nursing to approve an examination and clinical examination relating to the licensure of electrologists; altering the term of a license beginning on a certain date; and generally relating to the State Board of Nursing and the examination and license term of an electrologist license.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–6B–08 and 8–6B–14(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 8–6B–14(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 184 – Delegates Barkley, Reznik, and S. Robinson**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Lewisberry Corridor  
Lighting Improvement**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of the East Village Homes Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 185 – Delegate Donoghue**

AN ACT concerning

**Creation of a State Debt – Washington County – Antietam Fire Company**

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 Antietam 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 186 – Delegates Branch, Barve, and Proctor**

AN ACT concerning

**Education – Public School Holidays – American Indian Heritage Day**

FOR the purpose of designating American Indian Heritage Day as a public school holiday; and generally relating to public school holidays.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–103(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 187 – Delegates Kach and Olszewski**

AN ACT concerning

**Abortion – Department of Health and Mental Hygiene – Regulations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt certain regulations relating to abortions on or before a certain date.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 188 – Delegate Donoghue**

AN ACT concerning

**State Board of Physical Therapy Examiners – Licensure and Regulation**

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to send license renewal notices by electronic means; altering the maximum amount of a certain fine; altering certain definitions; and generally relating to the licensure and regulation of physical therapists and physical therapist assistants.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 13–101, 13–311, and 13–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 189 – Delegates Eckardt, Cane, Haddaway–Ricchio, McComas, and Stein**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Synthetic Cannabinoids**

FOR the purpose of listing certain chemical compounds, known as synthetic cannabinoids, on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to synthetic cannabinoids.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 190 – Delegates Hubbard, Murphy, and V. Turner**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Volunteer Podiatrist License**

FOR the purpose of authorizing the State Board of Podiatric Medical Examiners to convert certain licenses to volunteer podiatrist licenses and issue volunteer podiatrist licenses to certain individuals if certain requirements are met; requiring that a certain application form include a certain certification by the applicant; requiring that the fees charged by the Board for a volunteer podiatrist license be set lower than the fees charged for licensure to practice podiatry; requiring that a volunteer podiatrist license be clearly designated as a volunteer podiatrist license; authorizing the Board to revoke the license of a volunteer podiatrist under certain circumstances; altering certain definitions; and generally relating to volunteer podiatrist licenses issued by the State Board of Podiatric Medical Examiners.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 16–101, 16–206(b), 16–302, 16–305, and 16–311(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 16–308(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations

Section 16–318.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 191 – Delegates Gutierrez, Barkley, Barnes, Bobo, Carr, Carter, Cullison, Feldman, Frick, Frush, Guzzone, Haynes, Holmes, Howard, Hucker, A. Kelly, Kramer, Lee, Luedtke, A. Miller, Mitchell, Nathan–Pulliam, Niemann, Pena–Melnik, Proctor, Reznik, B. Robinson, S. Robinson, Sophocleus, Stukes, V. Turner, Valderrama, Waldstreicher, and Walker**

AN ACT concerning

**Public Schools – Student Attendance – Preventing Chronic Absenteeism**

FOR the purpose of requiring certain schools to maintain a record of the daily attendance of certain students using a certain identifier, calculate and maintain a certain record of certain student attendance information, and submit a certain

report to the county board of education that includes certain student attendance information at certain times each year; requiring each county board of education to calculate and maintain a certain record of certain attendance information; requiring each county board to report certain information to the State Board of Education at least a certain number of times each year; requiring each county board to develop and implement a certain attendance incentive action plan that includes certain information; defining certain terms; and generally relating to tracking and reporting student attendance in public schools.

BY adding to

Article – Education

Section 4–127

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 26)

### **ADJOURNMENT**

At 10:49 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 28, 2011.

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**Annapolis, Maryland  
Friday, January 28, 2011**

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

The House met at 11:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon Steven Cardin of Baltimore County.

**QUORUM CALL**

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

(See Roll Call No. 27)

The Journal of January 27, 2011 was read and approved.

**EXCUSES:**

Del. Bohanan – business  
Del. Gaines – personal  
Del. Harrison – illness  
Del. Howard – brother-in-law's death  
Del. McHale – personal  
Del. McIntosh – personal  
Del. Rosenberg – personal  
Del. Rudolph – illness

**INTRODUCTION OF BILLS**

**House Bill 192 – Delegates Malone, Conway, Costa, Morhaim, Rudolph, and Weir**

AN ACT concerning

**Criminal Law – Sale of Novelty Lighters – Prohibition**

FOR the purpose of prohibiting a person from selling at retail, offering for sale at retail, or distributing for retail sale in the State a novelty lighter; establishing a certain penalty for a violation of this Act; providing for the application of this Act; defining a certain term; and generally relating to the sale of novelty lighters.

BY adding to

Article – Criminal Law  
Section 10–112.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 193 – Delegates B. Robinson, Conaway, and Tarrant**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Substance Abuse, Medical Home,  
and Clinical Building**

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 Institutes for Behavior Resources, 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 194 – Delegates B. Robinson, Braveboy, Burns, Cardin, Frush,  
Glenn, Gutierrez, Haynes, Hixson, Proctor, V. Turner, and Washington**

AN ACT concerning

**Minority Business Enterprise Participation – Contracts, Debarment, and  
Termination Extension**

FOR the purpose of requiring each State procurement contract to include a certain clause that requires the contractor to meet a certain degree of minority business enterprise participation under certain circumstances; authorizing the Board of Public Works to debar a person from entering into a contract with the State for a certain period of time if the Board finds that the person knowingly violated a contract clause requiring a certain degree of minority business enterprise participation under certain circumstances; continuing until a certain date certain provisions of the State Procurement Law relating to procurement from minority businesses; requiring a certain study and a final report on the study by a certain date; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to minority business enterprise participation.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218, 14–309, and 16–203(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–303(a)(1)(i) and (b)(2) and (8)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 116 of the Acts of the General Assembly of 1995, as amended by  
Chapters 495 and 496 of the Acts of the General Assembly of 2000,  
Chapter 339 of the Acts of the General Assembly of 2001, and Chapter  
359 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 195 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers – License Application and Renewal Fees**

FOR the purpose of increasing a certain application fee and a certain renewal fee for a secondhand precious metal object dealer license.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–202(a) and 12–207(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 196 – Delegates Malone, Kach, and F. Turner**

AN ACT concerning

**Motor Vehicles – Use of Text Messaging Device While Driving – Prohibited Acts**



FOR the purpose of prohibiting a person from using a text messaging device to read a text message while operating a motor vehicle; clarifying that a certain prohibition against a person using a text messaging device to write, send, or read a text message while operating a motor vehicle includes a prohibition against writing, sending, or reading an electronic message; repealing a certain provision of law that applies the text messaging prohibition to an operator of a motor vehicle only if the motor vehicle is in motion; and generally relating to prohibited acts with respect to the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 197 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance Benefits Claims – Appeals – Finality of Order**

FOR the purpose of establishing a certain period of time after which certain decisions are final as to determinations relating to unemployment insurance benefits claims that had been appealed to certain units in the Department of Labor, Licensing, and Regulation; and generally relating to decisions on certain unemployment insurance benefits claims.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–508 and 8–5A–11  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 198 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Authority of Commissioner of Financial Regulation –  
Information Sharing**

FOR the purpose of authorizing the Commissioner of Financial Regulation to enter into cooperative and information-sharing agreements and to exchange information about a financial institution with certain federal or state law enforcement agencies under certain circumstances; increasing the number of agencies with which the Commissioner may enter into cooperative or information-sharing agreements to include the Office of Foreign Assets Control; providing that if the Commissioner receives a record from an agency that retains ownership of the record, the Commissioner may not disclose the record to any person that requests the record under the Maryland Freedom of Information Act; requiring the Commissioner to forward the request to the agency that owns the record for processing in accordance with certain laws and regulations; altering a certain definition; making certain clarifying and conforming changes; and generally relating to the authority of the Commissioner of Financial Regulation to supervise financial institutions.

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 2–117, 5–901(g), and 5–909  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 5–901(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

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

**House Bill 199 – Delegates B. Robinson, Conaway, and Tarrant**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Coppin Heights Urban  
Revitalization Project – Phase 1**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$140,000, the proceeds to be used as a grant to the Board of Trustees of The Coppin Heights Community Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 200 – Delegates B. Robinson, Carter, Oaks, Rosenberg, and Tarrant**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class A Licensed Premises in Park Heights – Minors**

FOR the purpose of prohibiting in the area of Park Heights in Baltimore City a person under a certain age from entering or being present on Class A (off-sale) licensed premises unless accompanied by another person who is at least a certain age; prohibiting certain persons in the area of Park Heights from allowing a person under a certain age to enter or be present on Class A (off-sale) licensed premises unless accompanied by certain other persons; establishing certain penalties for a violation of this Act; and generally relating to the presence of minors on Class A (off-sale) licensed premises in the area of Park Heights in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 12-304

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 201 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Vacancy in Office of County Commissioner – Appointment Process**

FOR the purpose of altering the procedures for filling a vacancy in an office of county commissioner in Garrett County by requiring the Governor to use procedures required for other commission counties, subject to the requirement that in Garrett County the nominee or appointee reside in the same commissioner district in which the former county commissioner resided; and generally relating to procedures for filling a vacancy in an office of county commissioner in Garrett County.

BY repealing and reenacting, with amendments,

Article 25 – County Commissioners

Section 16

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

(As enacted by Chapter 699 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County  
Section 30.02(D)  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2010 Supplement, as amended)

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

**House Bill 202 – Delegates Kaiser, Bobo, Cane, Carr, Clippinger, Frick, Gutierrez, Guzzone, Hixson, Ivey, Luedtke, McIntosh, A. Miller, Reznik, B. Robinson, Rosenberg, F. Turner, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Education – Discrimination Prohibited – Protected Classes**

FOR the purpose of conforming provisions of law relating to discrimination in the employment of teachers in the public schools in the State to other provisions of State law governing discrimination in employment; and generally relating to protected classes of employees under provisions of law governing discrimination in the employment of teachers in the public schools in the State.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 203 – Chair, Economic Matters Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – State Licensing Laws – Applicability and Exemptions**

FOR the purpose of repealing a provision exempting certain counties from certain State licensing laws on junk dealers and scrap metal processors; exempting certain licensed secondhand precious metal object dealers and pawnbrokers from the scope of certain State licensing laws on junk dealers and scrap metal processors; clarifying certain prohibited acts relating to junk dealers and scrap metal processors; repealing certain licensing provisions for Calvert County junk

dealers and scrap metal processors; altering a certain definition; making clarifying and stylistic changes; and generally relating to the applicability of and exemptions from State licensing laws on junk dealers and scrap metal processors.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 17–1001(a) and 17–1012(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 17–1001(f), 17–1002, 17–1011(a) and (d), and 17–1012(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Business Regulation  
Section 17–1015 through 17–1024  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 204 – Chair, Economic Matters Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Commercial Motor Vehicles Engaged in Intrastate Commerce  
– Minimum Security Requirements**

FOR the purpose of extending to certain for–hire vehicles engaged in intrastate commerce that exceed a certain gross vehicle weight rating, the authority of the Motor Vehicle Administration to adopt regulations in conformance with federal standards establishing specific minimum levels of required security for commercial vehicles; providing for a delayed effective date; and generally relating to minimum security requirements for motor carriers.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–920(h) and 17–103(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 25–111.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 205 – Delegates Kaiser, Kach, Barkley, Boteler, Carr, Clippinger, Frick, Haynes, Healey, Hixson, Ivey, Lafferty, McDermott, Morhaim, Parrott, Reznik, B. Robinson, Smigiel, Szeliga, Tarrant, F. Turner, and Wilson**

AN ACT concerning

**Election Law – Campaign Funds – Investments**

FOR the purpose of authorizing a campaign finance entity to invest funds the entity receives in a certificate of deposit with a certain term or a United States Treasury bill; providing for a delayed effective date; and generally relating to the investment of campaign funds.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–220(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 206 – Delegates Stein, Arora, Beidle, Bobo, Frush, Hubbard, Kaiser, Lafferty, Murphy, and Ross**

AN ACT concerning

**Sales and Use Tax Exemption for Precious Metal Bullion and Coins – Repeal**

FOR the purpose of repealing a sales and use tax exemption for the sale of certain precious metal bullion and coins that exceeds a certain price; and generally relating to the repeal of the sales and use tax exemption for the sale of certain precious metal bullion and coins.

BY repealing  
Article – Tax – General  
Section 11–214.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 207 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Park Heights Women and Children 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 Gaudenzia Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 208 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Aquaculture – Shellfish Leasing Areas – Expansion**

FOR the purpose of altering the areas within which the Secretary of Natural Resources may establish certain limits relating to aquaculture; authorizing the Department of Natural Resources to resurvey certain areas for a certain purpose; requiring the Department to amend natural oyster bar charts or coordinates by regulation under certain circumstances; altering the location restrictions for Aquaculture Enterprise Zones and submerged land leases; establishing certain restrictions for Aquaculture Enterprise Zones and leases of submerged land located within a sanctuary; providing that certain riparian owners have the right of first refusal to apply on or before a certain date for an aquaculture lease under certain circumstances; altering certain definitions; defining a certain term; and generally relating to oysters and shellfish aquaculture.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–1001(o), 4–1009, 4–1101(i), 4–11A–01(f) and (j), 4–11A–05, 4–11A–06, 4–11A–07, and 4–11A–16

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article – Natural Resources  
Section 4–1102 and 4–11A–01(r)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 209 – Chair, Environmental Matters Committee (By Request –  
Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation Easements –  
Allowable Residential Development**

FOR the purpose of authorizing the purchase of agricultural land preservation easements if the land meets certain requirements and is subject to certain regulations governing the use of the land; prohibiting land subject to agricultural easement from being used for certain purposes; allowing a landowner to reserve up to a certain number of certain sized lots to construct single family residential dwellings, subject to certain conditions; requiring the Maryland Agricultural Land Preservation Foundation to review applications to build on reserved lots and to make certain determinations regarding the applications; requiring a landowner to pay the State for land released from preservation at a certain price; requiring a certain release to be recorded among the land records where the land is located; providing for the required content of a certain release; authorizing a landowner to waive the reservation of lot rights; requiring a certain waiver of rights to be considered in determining the value of an easement; providing for the process by which a landowner may apply to release land from easement restrictions for certain purposes; providing for certain exemptions to the size limitations of a lot released from easement; authorizing a landowner to construct housing for tenants on easement land under certain conditions; establishing limitations on the construction of housing for tenants on easement land; authorizing a landowner to convert an existing dwelling into tenant housing subject to certain conditions; granting the Foundation authority to approve a landowner request to relocate an existing dwelling to another location on easement land, subject to certain conditions; granting the Foundation authority to enter into corrective easements for certain purposes; providing for the execution of corrective easements; clarifying that a corrective easement approved by the Foundation is not subject to certain requirements; providing that the purchase of an easement does not grant certain rights to the public; requiring the Foundation to adopt certain regulations; clarifying that this Act applies to easements approved for purchase after a certain date; and generally relating to agricultural land preservation easements approved for purchase on or after a certain date.

BY adding to



Article – Agriculture  
Section 2–513.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 210 – Chair, Environmental Matters Committee (By Request –  
Departmental – Environment)**

AN ACT concerning

**Environment – Mining – Acid Mine Drainage Abatement and Treatment Fund**

FOR the purpose of conforming State law to federal law as it relates to the percentage of funding available for certain acid mine drainage activities; and generally relating to the Acid Mine Drainage Abatement and Treatment Fund.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 15–1103  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 211 – Chair, Health and Government Operations Committee (By  
Request – Departmental – Human Relations Commission)**

AN ACT concerning

**Maryland Commission on Human Relations – Name Change**

FOR the purpose of changing the name of the Maryland Commission on Human Relations to the Maryland Commission on Civil Rights; correcting cross-references to reflect the name change; and generally relating to changing the name of the Maryland Commission on Human Relations.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–355  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 2–202

Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 2–307 and 12–202(h)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 19–103(e), (g), and (h) and 19–116  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2404, 10–107, 10–1103, and 20–101; and 20–201 to be under the  
amended subtitle “Subtitle 2. Commission on Civil Rights”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 5–203 and 5–205(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 5–408  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 212 – Delegates Norman and Tarrant**

AN ACT concerning

#### **Grand Prix Motor Racing – Designation**

FOR the purpose of designating Grand Prix motor racing as the State motor vehicle  
speed competition.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 13–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 213 – Delegates Malone and DeBoy**

AN ACT concerning

**Baltimore County – Casino Events – Money Prizes**

FOR the purpose of repealing the prohibition in Baltimore County against the offering or awarding of a money prize to certain persons by a person who holds a casino event that includes a card game or roulette; and generally relating to prizes for casino events in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–604  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 214 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Critical Farms Fund and Program**

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to acquire certain interests in property for certain purposes, and to dispose of that property under certain circumstances in accordance with the Critical Farms Program; requiring the development of a certain method and a certain procedure for a certain purpose; establishing the Critical Farms Fund for the acquisition of certain easements under the Critical Farms Program and the Farmland Preservation Partnership Program; clarifying that the Governor may include a certain appropriation in the annual budget; requiring the Foundation to submit a certain report to the General Assembly under a certain circumstance; exempting certain dispositions of real property from approval by the Board of Public Works; and generally relating to the Maryland Agricultural Land Preservation Foundation's Critical Farms Program.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–504, 2–505(c), 2–517, and 2–517.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–505(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–302.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 215 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Institute for Emergency Medical Services Systems)**

AN ACT concerning

**State Emergency Medical Services Board – Emergency Medical Services Providers**

FOR the purpose of exempting certain law enforcement officers from certain requirements relating to the provision of certain emergency medical services; prohibiting the use of a certain term except under certain circumstances; requiring the State Emergency Medical Services Board to adopt certain regulations on or before a certain date; providing that certain emergency medical services providers shall be deemed to be licensed or certified under this Act until a certain event occurs; providing for a delayed effective date for certain provisions of this Act; defining certain terms; altering and repealing certain definitions; making certain conforming changes; and generally relating to emergency medical services providers.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 13–516  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 216 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Health Services Cost Review Commission – User Fees**

FOR the purpose of increasing the total amount of user fees that the Health Services Cost Review Commission may assess on certain hospitals and related institutions; and generally relating to the Health Services Cost Review Commission.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–213(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–213(c)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 217 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Department of Health and Mental Hygiene – Mental Hygiene Administration  
– Transfers Between Facilities**

FOR the purpose of authorizing the Director of the Mental Hygiene Administration to transfer individuals from a public mental health facility to the Clifton T. Perkins Hospital Center under certain circumstances; requiring the Director to give certain individuals notice and an opportunity for a certain hearing under certain circumstances; providing that certain decisions of an administrative law judge are final; providing that the Board of Review of the Department of Health and Mental Hygiene does not have jurisdiction over certain decisions; authorizing the Director to transfer certain individuals between public mental health facilities under certain circumstances; defining a certain term; and

generally relating to the transfer of individuals between Mental Hygiene Administration facilities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–807  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 218 – Delegate Cardin**

AN ACT concerning

#### **Interest Rate on Tax Deficiencies and Refunds**

FOR the purpose of altering the calculation of the interest rate on tax deficiencies and refunds to 2 percentage points above a certain underpayment rate established under the Internal Revenue Code; providing that the interest rate may not be less than a certain rate for certain fiscal years; repealing a requirement that the Comptroller annually set the interest rate; and generally relating to the interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 13–604  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 219 – Delegate Braveboy**

AN ACT concerning

#### **Residential Property – Condominium Unit Owners or Lot Owners – Provision of Disclosure Documents**

FOR the purpose of providing that a residential condominium unit owner or a vendor of or a lot owner in a development subject to the Maryland Homeowners Association Act who is selling the property shall provide certain disclosure documents without charge to a purchaser; providing that, notwithstanding any other provision in the respective title, the mortgagee or trustee designated under a deed of trust after a foreclosure action on a certain condominium unit or a certain lot in a development is completed shall furnish certain disclosure

documents to the purchaser; making conforming changes; providing for the application of this Act; and generally relating to the provision of disclosure documents in the sale of a residential condominium unit or a lot in a development.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–135(a), (b), and (g), 11B–105(a) and (b), and 11B–106(a), (b), and (d)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property

Section 11–135.1 and 11B–106.2

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 220 – Delegates McConkey and Schuh**

AN ACT concerning

#### **Anne Arundel County Board of Education – Member Reappointment and Terms**

FOR the purpose of providing that a member of the Anne Arundel County Board of Education is eligible for reappointment under certain circumstances; prohibiting an individual from serving as a board member for more than a certain number of consecutive terms; making certain conforming changes; and generally relating to the reappointment and terms of the members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–110

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 221 – Delegate Malone**

AN ACT concerning

#### **Motor Vehicles – Use of Text Messaging Device While Driving**

FOR the purpose of establishing that a certain prohibition against a person under a certain age using a wireless communication device while operating a motor vehicle does not apply to the use of a wireless communication device as a text messaging device; clarifying that a certain prohibition against a person using a text messaging device to write or send a text message while operating a motor vehicle under certain circumstances includes a prohibition against writing or sending an electronic message; making a certain technical correction; altering a certain definition; and generally relating to the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 222 – Delegate Malone**

AN ACT concerning

#### **Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts and Enforcement**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle only apply if the vehicle is in the travel portion of the roadway; making a certain technical correction; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 223 – Delegates Carter, Carr, Haynes, McIntosh, Niemann, Oaks, Tarrant, V. Turner, and Wilson**



## EMERGENCY BILL

AN ACT concerning

**State Government – Commemorative Days – Earth Hour**

FOR the purpose of requiring the Governor annually to issue an order, in observance of Earth Hour, that the lights in certain buildings be turned off on a certain day at a certain time and remain off for a certain period of time; making this Act an emergency measure; and generally relating to Earth Hour.

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 224 – Delegates Carter, Anderson, Frick, Gutierrez, Stukes, Washington, and Wilson**

AN ACT concerning

**State Board of Education – Financial Literacy Curriculum – Graduation Requirement**

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 225 – Delegates Reznik, Barkley, and S. Robinson**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Battleridge Place Stream  
Valley Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of Stedwick Homes Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 226 – Delegates Cullison, Hammen, and Pendergrass**

AN ACT concerning

**Insurance – Qualified State Long–Term Care Insurance Partnership Program  
– Reporting**

FOR the purpose of clarifying the scope of a certain report on the Qualified State Long–Term Care Insurance Partnership Program; making a stylistic change; and generally relating to the Qualified State Long–Term Care Insurance Partnership Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 227 – Delegates Waldstreicher, Afzali, Anderson, Barkley, Barve,  
Cardin, Carr, Dumais, Frush, Gilchrist, Glenn, Hucker, Kach, A. Kelly,  
Kipke, Lee, McComas, Morhaim, Reznik, Smigiel, Valderrama, and  
Washington**

AN ACT concerning

**Criminal Law – Abuse or Neglect of Animals – Sentencing Conditions**

FOR the purpose of authorizing a court, as a condition of sentencing for certain violations concerning the abuse or neglect of animals, to prohibit a certain defendant from owning, possessing, or residing with an animal for a certain period; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–604 and 10–606  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 228 – Delegates Haddaway–Riccio and Eckardt**

AN ACT concerning

**Housing Authorities – Consolidation or Merger – Talbot County and  
St. Michaels**

FOR the purpose of authorizing the Housing Commission of Talbot County and the St. Michaels Housing Authority to unite by consolidation or merger to form one authority under certain circumstances; requiring the unification of the Housing Commission of Talbot County and the St. Michaels Housing Authority to be initiated by the passage of a certain proposal of unification by the legislative body of certain municipal corporations; requiring the appointment of a certain commission to draft proposed articles of organization for a proposed authority under certain circumstances; imposing certain duties on a certain commission; providing that the legislative body of each municipal corporation must adopt or reject certain articles of organization as a whole; prohibiting the articles of organization from being amended or changed except under certain circumstances; requiring a certain custodian of records to file certain articles of organization with the Secretary of State under certain circumstances; requiring the Secretary of State to issue a certificate of approval for certain articles of organization under certain circumstances; prohibiting an authority created under this Act from doing business or exercising its powers unless a certain certificate has been issued; defining certain terms; and generally relating to the consolidation or merger of the Housing Commission of Talbot County and the St. Michaels Housing Authority.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 12–105, 12–201, and 12–204(a)  
Annotated Code of Maryland

(2006 Volume and 2010 Supplement)

BY adding to

Article – Housing and Community Development

Section 12–208

Annotated Code of Maryland

(2006 Volume and 2010 Supplement)

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

**House Bill 229 – Delegates Cardin, Bromwell, Carr, Ivey, Morhaim,  
Rosenberg, Ross, Stein, and Walker**

AN ACT concerning

**Income Tax – Subtraction Modification – Health Improvement and Cost  
Savings Act of 2011**

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

(2010 Replacement Volume)

BY adding to

Article – Tax – General

Section 10–208(r)

Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 230 – Delegates Tarrant, Anderson, Branch, Clippinger, Conaway,  
Glenn, Haynes, Mitchell, B. Robinson, Stukes, and Washington**

AN ACT concerning

**Baltimore City – Education – Construction Bond Authority**

FOR the purpose of altering the maximum aggregate principal amount of school construction bonds that the Baltimore City Board of School Commissioners may issue; altering the maximum maturity date of bonds; and generally relating to the issuance of bonds for school construction in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.2(b) and (g)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 4–306.2(a) and (c) through (e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 231 – Delegate Costa**

AN ACT concerning

**Education – Public Charter School Facility Revolving Loan Fund**

FOR the purpose of establishing the Public Charter School Facility Revolving Loan Fund; requiring the Governor to provide a certain amount of money in the State budget for the Fund; specifying the purpose of the Fund; authorizing certain applicants to obtain loans from the Fund; requiring the State Board of Education to administer the Fund and to consider certain factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report certain information to county boards of education each fiscal year; establishing certain requirements for loan repayment; making a certain county governing body or county board of education liable for loan repayment under certain circumstances; requiring the State Board to adopt certain regulations; and generally relating to the Public Charter School Facility Revolving Loan Fund.

BY adding to  
Article – Education  
Section 9–111  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 232 – Delegate Malone**

AN ACT concerning

**Task Force to Study the Development of Wetland Teaching Projects at Secondary Schools**

FOR the purpose of establishing the Task Force to Study the Development of Wetland Teaching Projects at Secondary Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation; providing that a member of the Task Force may receive reimbursement of certain expenses; requiring the Task Force to study State regulations governing the development of certain wetland projects at secondary schools in the State; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Development of Wetland Teaching Projects at Secondary Schools.

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

**House Bill 233 – Delegates Barve, Gilchrist, and Simmons**

AN ACT concerning

**Municipal Corporations – Direct Deposit of Wages**

FOR the purpose of authorizing municipal corporations to pay wages of employees by direct deposit; requiring municipal corporations that elect to pay wages by direct deposit to deposit the wages in certain personal bank accounts; and generally relating to the payment of wages by direct deposit by municipal corporations.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 234 – Delegates Ivey, Afzali, Alston, Anderson, Arora, Aumann, Barnes, Barve, Beidle, Bobo, Boteler, Branch, Busch, Cane, Cardin, Carr, Cluster, Conway, Costa, Cullison, Davis, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith,**

Gutierrez, Haddaway–Ricchio, Hammen, Harrison, Healey, Hixson, Holmes, Hubbard, Jacobs, Jameson, Kach, Kaiser, A. Kelly, Kipke, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McDermott, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Niemann, Otto, Pena–Melnyk, Pendergrass, Ready, Reznik, S. Robinson, Rosenberg, Ross, Rudolph, Smigiel, Stein, Stocksedale, Stukes, Summers, Szeliga, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, Washington, Wilson, and Zucker

AN ACT concerning

### **Alcoholic Beverages – Direct Wine Shipper’s Permit**

FOR the purpose of repealing provisions that provide for a direct wine seller’s permit; establishing a direct wine shipper’s permit to be issued by the Office of the Comptroller; authorizing the Office of the Comptroller to issue a common carrier permit to certain persons; specifying a certain common carrier permit fee; requiring a person to be licensed before the person or the person’s agent may engage in shipping wine directly to a direct wine consumer in the State; requiring an applicant to meet certain qualifications for a shipper’s permit, submit an application and a copy of its current alcoholic beverages license or proof of the applicant’s status to the Office of the Comptroller, and pay a certain fee; specifying the term of a direct wine shipper’s permit; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from shipping more than a certain amount of wine annually to any one consumer or make deliveries on Sunday; requiring a direct wine shipper to meet certain requirements to renew the permit; authorizing the Office of the Comptroller to deny a renewal application under certain circumstances; specifying certain requirements for receiving a direct shipment of wine; requiring a common carrier to make a certain report; allowing a shipment of wine to be ordered or purchased through electronic or other means; authorizing the Office of the Comptroller to adopt certain regulations; prohibiting a person without a permit from shipping wine directly to consumers in the State; requiring a certain security to be posted under certain circumstances; defining certain terms; making certain technical corrections; altering a certain definition; making the provisions of this Act severable; and generally relating to the establishment of a direct wine shipper’s permit.

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 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i), 9–102(a), and 15–204(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 2–101(y); and 7.5–101 through 7.5–113 to be under the new title “Title  
7.5. Direct Wine Shipper’s Permit”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 5–101(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 5–101(f), 5–201(d), and 13–825(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Tax – General  
Section 13–825(i)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 235 – Delegates Pena–Melnik, A. Kelly, Alston, Anderson, Barkley, Barnes, Barve, Beidle, Bobo, Carr, Clippinger, Cullison, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Healey, Hixson, Hubbard, Huckler, Ivey, Kaiser, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Simmons, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Human Relations – Sexual Orientation and Gender Identity –  
Antidiscrimination**



FOR the purpose of prohibiting discrimination based on gender identity with regard to 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 certain provisions of law relating to discrimination in employment do not apply to certain religious entities with respect to the employment of individuals of a particular gender identity to perform certain work; 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  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–401, 20–402, 20–501, 20–602, 20–603, 20–604(2), 20–605(a)(2),  
20–606(a) through (e), 20–608, 20–702(a), 20–704(a)(2), 20–705,  
20–707(b) and (c), and 20–1103(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 2–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS****House Joint Resolution 2 – Delegate Beitzel**

A House Joint Resolution concerning

**Inclusion of Garrett County in the Baltimore and Washington, D.C.  
Television Broadcast Market Areas**

FOR the purpose of expressing certain findings of the General Assembly in connection with the ability of Garrett County residents to receive broadcasts from Baltimore and Washington, D.C. television stations; and urging the Maryland Delegation to Congress to encourage the Federal Communications Commission to amend its market determination regulations and to sponsor and support any necessary legislation in the United States Congress to allow Garrett County residents to receive television broadcasts from stations in the Baltimore and Washington, D.C. designated television broadcast market areas.

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

**QUORUM CALL**

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

(See Roll Call No. 28)

**ADJOURNMENT**

At 11:26 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 31, 2011.

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**Annapolis, Maryland**  
**Monday, January 31, 2011**

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The House met at 8:02 P.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 129 Members present.

(See Roll Call No. 29)

The Journal of January 28, 2011 was read and approved.

**EXCUSES:**

Del. Frank – personal  
Del. Harrison – medical  
Del. Howard – brother-in-law's death  
Del. James – personal  
Del. Rosenberg – personal  
Del. Ross – personal  
Del. Wood – personal – family business

**INTRODUCTION OF BILLS**

**House Bill 236 – Delegates DeBoy and Malone**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Good Shepherd Student  
Courtyard Renovation**

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; 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 237 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate Rosenberg**

AN ACT concerning

**Baltimore City – Zoning Requirements – Administrative Adjustments**

FOR the purpose of clarifying the applicability to Baltimore City of certain provisions related to administrative adjustments to certain zoning requirements; and generally relating to administrative adjustments to zoning requirements in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 2.13  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article 66B – Land Use  
Section 4.05(d)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 238 – Delegates DeBoy and Malone**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Little Sisters of the Poor – Boiler Room**

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 Little Sisters of the Poor of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 239 – Delegates McDonough, Dwyer, Kach, Kipke, Krebs, McComas, McMillan, O'Donnell, Ready, and Stocksdales**

AN ACT concerning

**Report and Record Immigration Status – Division of Correction and Division of Parole and Probation**

FOR the purpose of requiring a certain case record that is assembled by the Division of Correction for an inmate to include certain information on the immigration status, if any, of the inmate under certain circumstances; requiring the Division of Correction to forward certain information from a case record to the United States Immigration and Customs Enforcement Agency if the case record indicates that the individual has an immigration status; requiring the Division of Parole and Probation to forward certain information from a certain presentence investigation report to the United States Immigration and Customs Enforcement Agency if the presentence investigation report indicates that the individual who is the subject of the report has an immigration status; and generally relating to reports and records of the Division of Correction and the Division of Parole and Probation.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–601(a) and 6–112(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Correctional Services  
Section 3–601(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 240 – Delegate DeBoy**

AN ACT concerning

**Creation of a State Debt – Harford County – Broad Creek Maryland Boy Scouts of America Ecology Conservation Learning 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 Area Council, Boy Scouts of America, 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 241 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Conaway, Oaks, B. Robinson, Tarrant, Washington, and Wilson**

AN ACT concerning

**Criminal Law – Restrictions Against Use and Possession of Firearms**

FOR the purpose of expanding the prohibition against the use of handguns and certain antique firearms in the commission of certain crimes of violence or felonies to include the use of any firearm, whether loaded or unloaded; increasing the maximum term of imprisonment applicable to a violation of the prohibition against a certain person possessing a certain regulated firearm; providing that the imposition of certain mandatory minimum sentences are within the discretion of the court under certain circumstances; providing that certain mandatory minimum sentences may not be imposed unless the State's Attorney notifies a certain person in writing at a certain time of the State's intention to seek a certain sentence; prohibiting a person from possessing a rifle or shotgun if the person was previously convicted of a certain crime of violence or drug-related crime; establishing certain penalties; prohibiting a certain court from suspending any part of a certain sentence; providing that a certain person is not eligible for parole during a certain mandatory minimum sentence, with a certain exception; providing that each violation of a certain provision of law is a separate crime; defining a certain term; and generally relating to the use and possession of firearms.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–204  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–143  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to

Article – Public Safety

Section 5–206

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

### **House Bill 242 – Howard County Delegation**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Troy Regional Park**

##### **Ho. Co. 2–11**

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 243 – Howard County Delegation**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Mount Pleasant Farm House**

##### **Ho. Co. 7–11**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Howard County Conservancy, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 244 – Delegate Costa**

AN ACT concerning

**Anne Arundel County – Workers’ Compensation – Occupational Disease –  
Deputy Sheriffs**

FOR the purpose of extending the presumption of a compensable occupational disease under workers’ compensation law to include Anne Arundel County deputy sheriffs who suffer from heart disease or hypertension resulting in partial or total disability or death under certain circumstances; requiring that workers’ compensation benefits received under this Act are in addition to certain retirement benefits, subject to a certain adjustment; requiring certain Anne Arundel County deputy sheriffs to submit certain medical reports to the Anne Arundel County Sheriff on or before a certain date; clarifying language; and generally relating to compensability under workers’ compensation law to include Anne Arundel County deputy sheriffs.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–503(b) and (e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 245 – Howard County Delegation**

AN ACT concerning

**Howard County – Alcoholic Beverages – Beer, Wine and Liquor Tasting  
License**

**Ho. Co. 5–11**

FOR the purpose of creating in Howard County a beer, wine and liquor tasting (BWLT) license; specifying to whom the license may be issued; setting maximum limits on the amounts of alcoholic beverages that may be served under a BWLT license; setting the annual license fee; authorizing the Howard County Board of License Commissioners to adopt rules or regulations to implement this Act; increasing the maximum alcohol content of wine that may be served under a beer and wine tasting license to conform with a certain definition of light wine; making stylistic changes; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–408.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)



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

**House Bill 246 – Delegates S. Robinson, Barkley, and Reznik**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Glenbrooke Stormwater Management Pond Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of East Village Homes Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 247 – Delegates Simmons, Dumais, and Kramer**

AN ACT concerning

**Maryland General and Limited Power of Attorney Act – Modifications**

FOR the purpose of establishing that certain provisions of law relating to durable powers of attorney apply to all powers of attorney; altering the authority of an agent under certain statutory form powers of attorney; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to powers of attorney.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 17–101, 17–105, 17–109, 17–202, and 17–203  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

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

**House Bill 248 – Delegates Rosenberg, Carter, and Oaks**

AN ACT concerning

**Creation of a State Debt – Baltimore City – In Our House Homeless Youth Center**

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 Loving Arms, 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 249 – Delegate Proctor**

AN ACT concerning

#### **State Retirement and Pension System – Direct Mailings by Retiree Organizations – Repeal of Sunset Provision**

FOR the purpose of repealing the termination of certain provisions of law that allow retiree organizations to send direct mailings to retirees of the State Retirement and Pension System; and generally relating to direct mailings by retiree organizations to retirees of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 21–128 and 21–504(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 714 of the Acts of the General Assembly of 2010  
Section 2

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

### **House Bill 250 – Delegates Beidle, Frush, Glenn, Hubbard, Lafferty, Niemann, S. Robinson, Stein, Vitale, and Wilson**

AN ACT concerning

#### **Vehicle Laws – Motor Scooters and Mopeds – Protective Headgear for Minors**

FOR the purpose of prohibiting an individual who is under a certain age from operating or riding on a motor scooter or moped unless the individual is wearing certain protective headgear; establishing that the failure of certain individuals to wear certain protective headgear may not diminish the recovery of certain damages; making certain stylistic changes and technical corrections; and generally relating to protective headgear requirements for certain operators of or passengers on a motor scooter or moped.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 251 – Delegates Nathan–Pulliam and Pena–Melnyk**

AN ACT concerning

**Health Insurance – Prescription Drugs – Cost–Sharing Obligations**

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a cost–sharing obligation for a covered prescription drug that exceeds a certain dollar amount; authorizing an increase in the cost–sharing obligation according to a certain frequency and by a certain amount; providing for a certain exception; defining a certain term; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to limitations on cost–sharing obligations for prescription drugs.

BY adding to  
Article – Insurance  
Section 15–845  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 252 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Clippinger, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Tarrant, and Washington**

AN ACT concerning

**Crimes – Possession of Loaded Handgun or Regulated 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 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 certain persons are not eligible for parole during certain mandatory minimum sentences, with a certain exception; providing that each violation of certain prohibitions is a separate crime; and generally relating to enhanced penalties for possession of a loaded handgun or regulated firearm.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(a)(1) and (c)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 253 – Chair, Ways and Means Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Motor Fuel Tax – Personal Liability – Corporations, Limited Liability  
Companies, and Limited Liability Partnerships**

FOR the purpose of establishing personal liability of certain officers of corporations, members of limited liability companies, partners of limited liability partnerships, and other individuals for payment of the motor fuel tax, interest, and penalties under certain circumstances; and generally relating to liability for the payment of motor fuel taxes.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 9–314  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 254 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Justice Monitoring Unit – Confidentiality of Reports**

FOR the purpose of providing that certain reports that are required to be submitted by the Juvenile Justice Monitoring Unit shall remain confidential until the reports are complete and produced in a certain manner; and generally relating to reports to be submitted to the Juvenile Justice Monitoring Unit.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 6–406  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 255 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Adoption – Contact with Adopted Siblings of Minors in Out-of-Home Placement**

FOR the purpose of requiring that a local department of social services have access to any local department adoption records on the biological siblings of a minor in out-of-home placement for a certain purpose; altering the definition of “search, contact, and reunion services” to include contacting certain adopted siblings of a minor in out-of-home placement for a certain purpose; authorizing an out-of-home placement worker acting on behalf of a minor in out-of-home placement to apply for search, contact, and reunion services; exempting an out-of-home placement worker applying for search, contact, and reunion services from certain requirements to execute certain written agreements; and generally relating to adopted siblings of minors in out-of-home placement.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–357, 5–4B–01, 5–4B–02, 5–4B–05, and 5–4B–11  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 256 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Local Departments of Social Services – Access to Records of Certain Adoptees**

FOR the purpose of requiring that an employee of the State Department of Human Resources or a local department of social services shall have access to all local department records on a certain adoptee under certain circumstances; and generally relating to access to certain local department records.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–357  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 257 – Delegates Murphy, Barve, Branch, Busch, Cardin, Fisher, Frick, Jameson, Myers, O'Donnell, Reznik, Ross, V. Turner, Wilson, and Wood**

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  
(2010 Replacement Volume)

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

**House Bill 258 – Delegate Beitzel**

AN ACT concerning

**Garrett County – Tax Sales – Auctioneer’s Fees**

FOR the purpose of altering the auctioneer’s fees allowed as an expense and a lien on property to be sold at certain tax sales in Garrett County; making a certain technical correction; and generally relating to tax sales in Garrett County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–813(e) and (f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 259 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Morgan Mill Facility**

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 Project PLASE, 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 260 – Delegate Clagett**

AN ACT concerning

**Creation of a State Debt – Frederick County – Frederick Alliance for Youth – Youth and 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 Frederick Alliance for Youth, 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 261 – Delegate Clagett**

AN ACT concerning

**Creation of a State Debt – Frederick County – Weinberg Center for the Arts**

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 Weinberg Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 262 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Public School Lease – Property Tax Credit**

FOR the purpose of requiring rather than authorizing Frederick County to grant, by law, a property tax credit for real property leased to the Frederick County Board of County Commissioners or to the Frederick County Board of Education and used exclusively for public school educational purposes; and providing for the application of this Act.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–312(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 263 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Roadside Solicitation of Money or Donations – Permit Program**

FOR the purpose of authorizing Frederick County or a municipal corporation in Frederick County under certain conditions to enact a permit program allowing a



person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; requiring a permit application to include certain information; requiring the county or municipal corporation to approve or deny an application within a certain period; authorizing the county or municipal corporation to impose conditions on the solicitation; and generally relating to a permit program for roadside solicitation of money and donations in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–507(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 21–507(k)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 264 – Delegates B. Robinson, Conaway, Dwyer, Glenn, Oaks, Ross, Stukes, Tarrant, V. Turner, and Washington**

AN ACT concerning

### **Home Health Care Services – Documents Requiring Signature**

FOR the purpose of requiring certain documents provided by certain agencies to include a certain statement under certain circumstances; prohibiting the alteration of certain documents under certain circumstances; defining a certain term; and generally relating to documents required by agencies that provide home health care services.

BY adding to  
Article – Health – General  
Section 19–2401 and 19–2402 to be under the new subtitle “Subtitle 24. Home Health Care Services”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 265 – Delegates B. Robinson, Conaway, Dwyer, Glenn, Oaks, Ross, Stukes, Tarrant, V. Turner, and Washington**

AN ACT concerning

**Developmental Disabilities Administration – Inspections of Licensees**

FOR the purpose of requiring the Developmental Disabilities Administration or its agent to ensure that surveyors who carry out inspections of sites or offices operated by a licensee interpret and apply licensing requirements consistently and uniformly; requiring the Administration or its agent to evaluate periodically the performance of certain surveyors for a certain purpose; and generally relating to inspections of licensees of the Developmental Disabilities Administration.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–909  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 266 – Delegates Waldstreicher, Alston, Anderson, Arora, Aumann, Clippinger, Dumais, Frank, Frush, Haddaway–Riccio, Hough, Lee, Luedtke, McDermott, Mitchell, Morhaim, S. Robinson, Smigiel, Tarrant, Valderrama, Valentino–Smith, and Wilson**

AN ACT concerning

**Human Trafficking Victim Protection Act**

FOR the purpose of authorizing a court to order a person who has been convicted of human trafficking to pay restitution to the victim for certain expenses incurred by the victim; providing for the verification of certain expenses alleged to be incurred by the victim; establishing that certain absences of the victim may not be a basis for denial of restitution; establishing that this Act may not be constructed to limit a person's right to certain restitution; clarifying that certain provisions of law related to restitution apply to an order of restitution under this Act; authorizing a person convicted of prostitution to file a petition to vacate the judgment if the person's involvement in prostitution was the result of the person having been a victim of human trafficking; establishing the requirements for a petition filed under this Act; requiring a person filing a petition under this Act to provide a certain notice to the State; authorizing the State to file a certain response in a certain period of time; 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 victims of human trafficking.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–303  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 8–302  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 267 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, McIntosh, Mitchell, Oaks, B. Robinson, Rosenberg, Tarrant, and Washington**

AN ACT concerning

**Public Ethics Laws – Baltimore City – Health Department, Police Department, and Civilian Review Board**

FOR the purpose of altering the provisions of the Maryland Public Ethics Law to provide that employees of the Baltimore City Health Department, the Police Commissioner of Baltimore City, the civilian employees and police officers of the Police Department of Baltimore City, and members and employees of the Civilian Review Board are subject only to the Baltimore City Public Ethics Law; and generally relating to public ethics laws and the employees of Baltimore City.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–102(a) and (m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–807  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 268 – Delegates Branch, Anderson, Carter, Conaway, Glenn, Haynes, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Board of Liquor License Commissioners for Baltimore City – Ethics, Open Meetings, and Performance Audit**

FOR the purpose of prohibiting a commissioner of the Board of Liquor License Commissioners for Baltimore City or an employee of the Board from having certain interests in businesses or premises relating to the distribution of alcoholic beverages; specifying that an action of a commissioner or employee of the Board is subject to State requirements for open or public meetings; requiring the Office of Legislative Audits to conduct, during a certain period of time, performance audits of the Board to evaluate the management practices of the Board; requiring the audit to focus on certain operations of the Board; requiring the audits to occur at a certain frequency; authorizing the Office of Legislative Audits to have access to and inspect the records of the Board; requiring audit reports of the Board to be distributed to certain persons; defining a certain term; making certain stylistic and conforming changes; requiring the Office of Legislative Audits to initiate its first audit of the Board on or before a certain date; and generally relating to the Board of Liquor License Commissioners for Baltimore City and audits conducted by the Office of Legislative Audits.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 15–112(d)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15–112(d)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 15–112(d)(15)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 2–1220(f)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1223(a)(3) and 2–1224  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–1223(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 269 – Delegate Clagett**

AN ACT concerning

#### **Creation of a State Debt – Frederick County – Cultural Arts 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 Frederick Arts 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; 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 270 – Delegates Eckardt, Cane, and Haddaway–Riccio**

AN ACT concerning

#### **Dorchester County – Tax Sales – Advertisement and Auctioneer Fees**

FOR the purpose of altering the number of times a certain notice is required to be published in Dorchester County in connection with certain tax sales of property; altering the auctioneer's fee in Dorchester County allowed as an expense relating to certain tax sales of property; and generally relating to certain tax sales of property in Dorchester County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property

Section 14–813(a)(1) and (e)(1)(iv)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–813(a)(2) and (e)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 271 – Delegates Kaiser, Luedtke, Zucker, Arora, Cullison, and Kramer**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Renovation of Falling Green at OBG Park**

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 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; 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 272 – Delegates McDonough, Dwyer, Kach, Kipke, Krebs, McComas, McMillan, Ready, and Stocksdales**

AN ACT concerning

**Criminal Procedure – Bail or Pretrial Release on Recognizance – Requirement**

FOR the purpose of requiring, notwithstanding any other law or Maryland Rule, that a court or a District Court commissioner ask a defendant to provide certain information on the defendant's legal status in the United States before the court or a District Court commissioner authorizes the pretrial release of a defendant on bail or personal recognizance; authorizing the court or a District Court commissioner to consider the information on the defendant's legal status in deciding whether to admit the defendant to bail or release the defendant on recognizance; and generally relating to pretrial release.

BY adding to

Article – Criminal Procedure  
Section 5–201.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 273 – Delegates Gilchrist, McIntosh, Barkley, Beidle, Cane, Carr, Cullison, Frush, Healey, Holmes, Ivey, Kach, Lafferty, Lee, A. Miller, Norman, S. Robinson, Stein, and Weir**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

FOR the purpose of providing that a certain person who receives a citation for a certain offense related to unlawfully taking oysters may have a certain license revoked under certain circumstances; establishing certain grounds for the revocation of a certain license; requiring the Department of Natural Resources to hold a certain hearing under certain circumstances in accordance with the Administrative Procedure Act; requiring the Department to revoke a person's license to catch oysters under certain circumstances; authorizing certain aggrieved persons to obtain judicial review of a certain decision; prohibiting a certain person from engaging or working in a certain fishery under certain circumstances; and generally relating to unlawfully taking oysters and license revocation.

BY adding to

Article – Natural Resources  
Section 4–1210  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 274 – Delegates Niemann, Barnes, Carr, S. Robinson, Ross, Stein, and Walker**

AN ACT concerning

**Motor Scooter and Moped Rentals – Protective Headgear – Requirement**

FOR the purpose of prohibiting an individual from operating or riding on a rented motor scooter or moped unless the individual is wearing certain protective headgear; requiring a person who rents a motor scooter or moped to another

person to provide the other person and any accompanying rider with certain protective headgear; establishing that the failure of certain individuals to wear certain protective headgear may not diminish the recovery of certain damages; making certain stylistic changes; and generally relating to protective headgear requirements for operators and riders of rented motor scooters and mopeds.

BY adding to

Article – Transportation  
Section 18–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 275 – Allegany County Delegation**

AN ACT concerning

#### **Public Utilities – Net Energy Metering – Hydroelectric**

FOR the purpose of including in the definition of eligible customer–generators that are eligible for net energy metering a customer that uses a certain type of hydroelectric generating facility; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–306(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–306(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 276 – Delegates McDonough, Dwyer, Elliott, Kach, Kipke, Krebs, McComas, O'Donnell, Parrott, Ready, Stocksdales, and Wood**



AN ACT concerning

**Public Safety – Enforcement of Federal Immigration Law by Law  
Enforcement Agencies**

FOR the purpose of requiring each law enforcement agency in the State to enter into a certain memorandum of understanding to enforce federal immigration law; requiring each law enforcement agency in the State to provide certain training to certain law enforcement officers; defining certain terms; and generally relating to the enforcement of federal immigration law by State and local law enforcement agencies.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 2–101(g)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to  
Article – Public Safety  
Section 3–508  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 277 – Delegates Hixson and Mizeur**

AN ACT concerning

**Creation of a State Debt – Montgomery County – American Film Institute  
Silver Theatre and Cultural Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$375,000, the proceeds to be used as a grant to the Board of Trustees of the American Film Institute, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 278 – Delegates McConkey, Glenn, and Holmes**

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area – Prospective Land Purchases – Inspections**

FOR the purpose of requiring a local jurisdiction to inspect or contract for the inspection of a lot or parcel that is in the Chesapeake and 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; clarifying that the statute of limitations for critical area violations does not subject certain subsequent purchasers to liability for certain penalties for certain critical area violations; authorizing a local jurisdiction to impose a certain inspection fee; requiring a local jurisdiction that performs or contracts for 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 and 8–1815(a)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–102  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 10–206  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 279 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Liquor Tasting**

FOR the purpose of creating a liquor tasting license in Carroll County; authorizing the Board of License Commissioners for Carroll County to issue the liquor tasting license only to holders of a certain alcoholic beverages license; specifying that the liquor tasting license authorizes consumption of certain liquor for tasting or sampling purposes only; requiring that the liquor be provided to consumers at no charge; specifying certain limitations on the quantity of liquor that may be consumed; providing an annual fee; specifying the term of a liquor tasting license; authorizing the Board to adopt regulations; defining a certain term; and generally relating to alcoholic beverages in Carroll County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–9A–01 to be under the new subtitle “Subtitle 9A. Liquor Tasting Licenses”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 280 – 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 \$16,000,000 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 281 – Delegates Beitzel and Conway**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Small Rural Electric  
Cooperative – Prohibition**

FOR the purpose of prohibiting funds in a certain account in the Maryland Strategic Energy Investment Fund from being used to offset electricity rates of residential customers of a small rural electric cooperative; and generally relating to the Maryland Strategic Energy Investment Fund and small rural electric cooperatives.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–20B–05(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–20B–05(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 9–20B–05(g–2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 282 – Delegates McConkey, Cluster, Frank, Griffith, Haynes,  
Kipke, Ready, B. Robinson, and Washington**

AN ACT concerning

**State Government – Commemorative Day – Young Heroes Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 283 – Delegates B. 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 \$300,000, 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; 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 284 – Delegates Stocksdale, Aumann, Bates, Bohanan, Dwyer, Elliott, Frank, Krebs, Ready, Sophocleus, and Wood**

AN ACT concerning

**Real Property – Residential Leases – Security Deposits – Interest Rates**

FOR the purpose of altering the annual interest rate paid on a security deposit under a residential lease within a certain number of days 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; and generally relating to interest rates paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,  
Article – Real Property

Section 8–203(e)(1) and (h)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 8–203(h)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

## **LEGISLATIVE EVALUATION COMMITTEE REPORT**

HOUSE ECONOMIC MATTERS COMMITTEE REPORT ON  
OFFICE OF THE COMMISSIONER OF FINANCIAL REGULATION, THE BANKING BOARD, AND  
THE STATE COLLECTION AGENCY LICENSING BOARD; THE MARYLAND HOME IMPROVEMENT  
COMMISSION; THE STATE REAL ESTATE COMMISSION; AND THE STATE BOARD OF MASTER  
ELECTRICIANS

(See Exhibit E of Appendix II)

Journalized.

## **QUORUM CALL**

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

(See Roll Call No. 30)

## **ADJOURNMENT**

At 8:20 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 1, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 1, 2011**

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The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Adelaide C. Eckardt of Caroline, Dorchester, Talbot and Wicomico counties.

**QUORUM CALL**

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

(See Roll Call No. 31)

The Journal of January 31, 2011 was read and approved.

**EXCUSES:**

Del. Beidle – business  
Del. Bohanan – business  
Del. Frank – personal  
Del. Frick – personal  
Del. Harrison – personal  
Del. Howard – brother-in-law's death  
Del. James – inclement weather  
Del. Rosenberg – personal  
Del. Ross – personal  
Del. Vitale – late – inclement weather

**INTRODUCTION OF BILLS**

**House Bill 285 – Delegates Pena–Melnik, Rosenberg, Anderson, Barnes, Barve, Beidle, Braveboy, Cane, Carr, Carter, Cullison, Elliott, Feldman, Frick, Frush, Glenn, Griffith, Gutierrez, Haynes, Hubbard, Hucker, Ivey, Kach, A. Kelly, Lee, Luedtke, Murphy, Nathan–Pulliam, Oaks, Proctor, Ross, Tarrant, V. Turner, Valderrama, Vallario, and Wilson**

AN ACT concerning

**Human Relations – Discrimination by a Place of Public Accommodation – Enforcement and Remedies**

FOR the purpose of expanding the remedies available for discrimination by a place of public accommodation; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of any transportation services; authorizing a complainant alleging discrimination by a place of public accommodation to bring a civil action; providing for the venue of and remedies in a certain civil action; and generally relating to enforcement and remedies for certain discriminatory acts.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–1009 and 20–1013  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 286 – Delegates Morhaim and Kipke**

AN ACT concerning

#### **Hospitals and Freestanding Ambulatory Care Facilities – Practitioner Performance Evaluation**

FOR the purpose of requiring hospitals, as a condition of licensure, to establish a certain practitioner performance evaluation process and to analyze the results of the process; requiring the practitioner performance evaluation process to include a certain review of care; requiring hospitals to take into account the results of the practitioner performance evaluation process for a member of the medical staff in a certain reappointment process; establishing a certain fine for certain noncompliance; establishing requirements for practitioner performance evaluation procedures in freestanding ambulatory care facilities; making certain stylistic changes; and generally relating to practitioner performance evaluation in hospitals and freestanding ambulatory care facilities.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–319(a) and 19–3B–02(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–319(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)



(As enacted by Chapters 90 and 91 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–3B–03(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 19–319(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 287 – Delegate Pena–Melnyk**

AN ACT concerning

#### **Maryland Perfusion Act**

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of perfusion; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees; establishing the Perfusion 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; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice perfusion; providing that certain licensing provisions do not apply to students practicing perfusion under certain circumstances; providing for the qualifications for a license to practice perfusion; providing that certain applicants who qualify for a license under certain circumstances are entitled to be licensed for a single term; providing for the scope of a license to practice perfusion; providing for the issuance, expiration, and renewal of certain licenses; 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 perfusionists; prohibiting certain acts; providing for certain criminal and civil penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; providing for the waiver of certain licensure requirements under certain circumstances; requiring that initial perfusionist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; providing for the termination of certain

provisions of this Act; and generally relating to the regulation and licensure of perfusion.

BY renumbering

Article – State Government  
Section 8–403(b)(46) through (68), respectively  
to be Section 8–403(b)(47) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations  
Section 14–5E–01 through 14–5E–26 to be under the new subtitle “Subtitle 5E.  
Perfusionists”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(46)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 288 – Delegates Afzali, Boteler, Fisher, Glass, Hershey, Hogan, Hough, Jacobs, McComas, McDermott, Otto, Ready, Schulz, Serafini, Smigiel, Stocksdale, and Vitale**

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; providing for a delayed effective date; 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  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 12–301(a) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 12–301(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 289 – Delegates Pena–Melnyk, Barnes, and Frush**

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 Administration, a law enforcement officer, or certain local governments; authorizing the Administration or certain local governments to collect certain civil penalties and to seek an injunction against violations of this Act; providing for civil penalties for certain violations of this Act; providing that certain provisions of this Act may be enforced only by issuance of a warning for a certain period of time; requiring the Administration and certain local governments to retain civil penalties collected under certain provisions of this Act; providing that the presence of a sign within a State highway right-of-way is evidence of certain facts; repealing a certain provision relating to when certain political signs may be erected; 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 2010 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 4–401(18)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605 and 8–714  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 32)

### **ADJOURNMENT**

At 10:13 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 2, 2011.

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**Annapolis, Maryland**  
**Wednesday, February 2, 2011**

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The House met at 10:03 A.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 127 Members present.

(See Roll Call No. 33)

The Journal of February 1, 2011 was read and approved.

**EXCUSES:**

Del. Carr – personal  
Del. Conway – business – meeting with Governor  
Del. Dwyer – personal  
Del. Harrison – personal  
Del. Howard – brother-in-law's death  
Del. Rosenberg – personal  
Del. Ross – personal  
Del. Valderrama – personal  
Del. Wilson – personal

**INTRODUCTION OF BILLS**

**House Bill 290 – Delegates Busch, Love, Barnes, Beidle, Costa, Frush, George,  
Kipke, McMillan, Pena–Melnik, Sophocleus, and Vitale**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Arundel Lodge Expansion**

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 Arundel Lodge, 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 291 – Delegates Morhaim, Anderson, Arora, Aumann, Barnes, Barve, Bobo, Boteler, Branch, Burns, Cane, Cardin, Carr, Clagett, Cullison, Donoghue, Feldman, Frank, Frush, Gilchrist, Glenn, Griffith, Gutierrez, Guzzone, Harrison, Haynes, Hixson, Hucker, Ivey, Kach, Kaiser, Kramer, Lafferty, Love, Luedtke, McComas, McConkey, McHale, McIntosh, A. Miller, Minnick, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Niemann, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Smigiel, Stein, Stukes, Tarrant, F. Turner, Valderrama, Vaughn, Washington, and Weir**

AN ACT concerning

### **Public Health – Medical Marijuana**

FOR the purpose of making marijuana a Schedule II controlled dangerous substance; prohibiting certain persons from distributing or dispensing marijuana to certain persons; providing for a certain penalty; requiring the Department of Health and Mental Hygiene (DHMH) to issue a certain request for proposals to select authorized growers of marijuana for medical use; providing for certain requirements of authorized growers; prohibiting an authorized grower from holding any other permit issued under a certain provision of law or being a physician who prepares a certain written certification; requiring DHMH, jointly with the Department of Agriculture, to adopt certain regulations; requiring DHMH to establish a certain registration program to authorize certain entities to distribute marijuana for medical purposes; authorizing DHMH to charge a certain fee for the issuance of a certain permit; requiring certain entities and individuals to apply for a certain criminal history records check and to submit to certain drug testing; requiring the Department to assign a certain identification number to certain permit holders for certain purposes; requiring certain permit holders to display a certain permit at certain times; requiring certain permit holders to report certain changes to DHMH within a certain time period; authorizing a patient or primary caregiver to provide certain reimbursement to certain entities; prohibiting certain individuals issued a certain permit from holding any other permit issued under a certain provision of law or being a physician who prepares a certain written certification; prohibiting a physician that prepares a certain written certification from holding a permit issued under a certain provision of law; requiring DHMH, in consultation with the Board of Pharmacy and stakeholders to develop certain regulations on or before a certain date; requiring DHMH to establish a registry of qualifying patients and primary caregivers and to issue a certain registry identification card to certain individuals under certain circumstances; requiring DHMH to approve or deny an application or renewal for a registry identification card within a certain time period and in a certain manner; requiring a registry identification card to include certain information; requiring an individual who has been issued a

registry identification card to provide a certain notification to DHMH under certain circumstances; requiring certain physicians to provide notice to certain patients and the Department regarding the withdrawal of a patient's written certification under certain circumstances; requiring the Department to send a certain notice; requiring certain patients and certain primary caregivers to send to the Department a certain registry identification card under certain circumstances and to dispose of any marijuana within the patient's possession within a certain number of days; requiring DHMH to maintain a confidential list of the individuals to whom DHMH has issued registry identification cards; providing that certain individuals and entities may not be subject to certain penalties or denied certain rights for the medical use of marijuana; providing that the possession of a registry identification card does not constitute probable cause to conduct a certain search by a government agency; providing that an individual may not be subject to arrest or prosecution for certain offenses for being in the presence of the medical use of marijuana; requiring certain pharmacies or dispensing centers to dispense a certain amount of usable marijuana to certain individuals for a certain period of time except under certain circumstances; prohibiting certain pharmacies and dispensing centers from dispensing more than a certain amount of marijuana to certain individuals within a certain period of time except under certain circumstances; authorizing certain pharmacies or dispensing centers to dispense more than a certain amount of marijuana to certain individuals under certain circumstances; requiring certain pharmacies and dispensing centers to maintain certain records; requiring qualifying patients, primary caregivers, and certain pharmacies and dispensing centers to follow certain procedures; providing that a patient may be registered at only one pharmacy or dispensing center at a time; establishing procedures for a patient to change an authorized pharmacy or dispensing center; requiring the Secretary of Health and Mental Hygiene to establish a system to monitor the dispensation of marijuana for medical use in the State; providing that a person who knowingly gives certain false information is subject to a certain penalty; requiring certain physicians, pharmacies, and dispensing centers to provide certain information to the Secretary; providing for the construction of this Act; providing that this Act may not be construed to provide immunity to certain persons; providing that this Act may not be construed to require certain insurance reimbursement; requiring DHMH to submit certain reports to the Governor and General Assembly on or before certain dates; requiring DHMH to adopt certain regulations on or before a certain date; authorizing DHMH to accept certain funds; requiring DHMH to use certain fees in a certain manner; requiring DHMH to distribute certain funds to drug rehabilitation programs throughout the State; defining certain terms; and generally relating to marijuana for medical use.

BY renumbering

Article – Criminal Law

Section 5–403(d), (e), and (f), respectively

to be Section 5–403(e), (f), and (g), respectively

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–402(d)(1)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Criminal Law

Section 5–403(d) and 5–611

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 13–3001 through 13–3013 to be under the new subtitle “Subtitle 30.  
Medical Marijuana”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 292 – Delegates Minnick, Olszewski, and Weir**

AN ACT concerning

#### **Hart–Miller–Pleasure Island Citizens Oversight Committee – Duties**

FOR the purpose of altering the duties of the Hart–Miller–Pleasure Island Citizens Oversight Committee; requiring the Oversight Committee to monitor and provide oversight for certain development, use, and maintenance of the Hart–Miller–Pleasure Island chain; requiring the Oversight Committee to hear and dispose of complaints by certain individuals; and generally relating to the Hart–Miller–Pleasure Island Citizens Oversight Committee.

BY repealing and reenacting, without amendments,

Article – Environment

Section 5–1104(a)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 5–1104(c)

Annotated Code of Maryland



(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 293 – Chair, Environmental Matters Committee (By Request –  
Departmental – Agriculture)**

AN ACT concerning

**Weights and Measures – Registration Fees**

FOR the purpose of prohibiting certain balances in the Weights and Measures Fund from reverting to the General Fund of the State; requiring the Secretary of Agriculture to adopt regulations establishing certain registration fees for certain weights and measures; repealing certain registration fees for certain weights and measures; requiring the Secretary to adjust the fees under certain circumstances; and generally relating to registration fees for weights and measures.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 11–204.6 and 11–204.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 294 – Delegate Costa**

AN ACT concerning

**Abuse or Neglect of Animals – Use of Rifle, Handgun, or Other Weapon –  
Penalties**

FOR the purpose of prohibiting a person from inflicting unnecessary suffering or pain on an animal through the use of a rifle, a handgun, or a certain weapon; establishing a certain penalty for a violation of this Act; altering a certain penalty for a certain offense of abuse or neglect of an animal; and generally relating to abuse or neglect of animals.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 4–101(a)(5), 4–201(c), and 10–603  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 10–604  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 295 – Delegate Feldman**

AN ACT concerning

**Corporations – Maryland General Corporation Law – Miscellaneous Provisions**

FOR the purpose of repealing certain provisions of law relating to dividends payable in shares of one class of a corporation's stock to holders of shares of another class of the corporation's stock; clarifying that all business and affairs of a corporation, whether or not in the ordinary course, must be managed under the direction of the corporation's board of directors; requiring each nominee for director of a corporation to have the qualifications required by the charter or bylaws of the corporation; providing that a director of a corporation holds office until the time the director ceases to have certain qualifications under certain circumstances; clarifying that certain directors hold over and continue to serve as directors under certain circumstances; clarifying the circumstances under which certain actions may be taken without a meeting of the board of directors or a committee of the board; clarifying that certain references to a majority or other proportion of directors refer to a majority or other proportion of votes entitled to be cast by the directors; repealing a certain provision of law that requires the board of directors to provide a place for a meeting of the stockholders under certain circumstances; altering the circumstances under which certain mergers need be approved by a Maryland successor corporation only by a majority of its entire board of directors; altering the information that must be included in articles of consolidation, merger, share exchange, or transfer if the successor is a certain business entity; repealing certain provisions of law requiring the president or a director of a corporation the charter of which has been revived to call a meeting of the stockholders for a certain purpose; and generally relating to the Maryland General Corporation Law.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations  
Section 2–309(c), 2–401(a), 2–403(a), 2–404(b), 2–405, 2–408(c) and (d),  
2–503(b), 3–105(a), and 3–109(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing

Article – Corporations and Associations  
Section 3–511  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 296 – Delegates Tarrant, Conaway, and B. Robinson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Roland Water Tower Stabilization**

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 Mayor and City Council of the City of Baltimore 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 297 – 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 \$400,000, 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 298 – Delegates Pena–Melnyk and Braveboy**

AN ACT concerning

**Labor and Employment – Wage Payment and Collection – Void Agreements**

FOR the purpose of establishing that an agreement between an employer and an employee for the employee to work for less than a certain required wage is void; and generally relating to void agreements to work for less than a certain wage.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 299 – Delegates Morhaim, Aumann, Stein, and Szeliga**

AN ACT concerning

**Baltimore County – Hybrid School Board – Election and Appointment of Members**

FOR the purpose of establishing a procedure for the election, effective with a certain general election, of certain members of the Baltimore County Board of Education; requiring a certain number of the members of the county board to reside in and be elected from certain districts; establishing a certain term of office for the elected members; altering provisions relating to the composition of the appointed members of the county board; providing for the removal of members under certain circumstances; providing a procedure for filling a vacancy for an elected member on the county board; providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; providing for the termination of the terms of certain appointed members of the county board under certain circumstances; and generally relating to the appointment and election of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108(a), 3–109, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 through 3–2A–04 to be under the new subtitle “Subtitle 2A.  
Baltimore County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 300 – Delegates Hubbard and Costa**

AN ACT concerning

**Supports Intensity Scale – Stakeholder Advisory Group**

FOR the purpose of establishing the Supports Intensity Scale Stakeholder Advisory Group; providing for the membership and staffing of the Advisory Group; requiring the Advisory Group to conduct a certain review and make certain recommendations; providing that the Department of Health and Mental Hygiene may not implement the Supports Intensity Scale until the Advisory Group makes certain recommendations; requiring the Department to submit certain reports to the Governor and the General Assembly on or before certain dates; and generally relating to the Supports Intensity Scale.

BY adding to

Article – Health – General

Section 7–408

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 301 – Delegates Frush and Beitzel**

AN ACT concerning

**Natural Resources – Suspension of Hunting Licenses and Privileges**

FOR the purpose of authorizing the Department of Natural Resources to suspend for certain periods of time the hunting license or privileges of a person who is convicted of a State or federal hunting violation; requiring the Department to suspend for a certain time period the hunting license or privileges of a person who receives within a certain time period a certain second conviction for a hunting violation; authorizing the Department to order that certain persons not obtain a hunting license for a certain time period; repealing certain provisions of law authorizing the Department to impose a certain fine and certain hunting license suspensions for a conviction for certain hunting violations; authorizing a court to suspend the hunting license of a person convicted of a federal hunting violation and the hunting privileges of a person convicted of a State or federal hunting violation; prohibiting a person whose hunting license is suspended from hunting or performing certain hunting activities anywhere in the State; prohibiting a person whose hunting privileges are suspended from hunting, or performing certain activities related to hunting, in the State; authorizing the Department to adopt regulations to implement this Act; clarifying certain

language; defining a certain term; and generally relating to the suspension of hunting licenses and privileges in the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–205, 10–423, 10–1101, and 10–1108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 302 – Delegates Anderson, Glenn, Ivey, and Oaks**

AN ACT concerning

**Inmates – Life Imprisonment – Parole Approval**

FOR the purpose of repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only with the Governor’s approval; and generally relating to sentences of life imprisonment.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 4–305(b) and 7–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 303 – Delegates Stocksdale, Bates, Boteler, and Minnick**

AN ACT concerning

**State Retirement and Pension System – Employee Contribution Rate**

FOR the purpose of altering the employee contribution rate for certain members of the State Retirement and Pension System; and generally relating to the employee contribution rates of the several systems of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–212, 25–203, 26–204, and 27–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 304 – Delegates Stocksdale, Bates, Elliott, Frank, George, Holmes, McComas, and Ready**

AN ACT concerning

**Family Law – Termination of Alimony – Cohabitation of Recipient**

FOR the purpose of establishing that alimony terminates on the cohabitation of an alimony recipient and a certain other individual under certain circumstances; establishing that cohabitation is presumed under certain circumstances; requiring that, on the marriage or cohabitation of the recipient, the recipient notify the party who is required to pay alimony; and generally relating to the termination of alimony.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 11–108  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 305 – Delegates Stocksdale, Bates, Boteler, Elliott, Impallaria, and Krebs**

AN ACT concerning

**State Retirement and Pension System – Vesting and Eligibility**

FOR the purpose of altering the eligibility requirements that certain members of the State Retirement and Pension System must meet in order to qualify for certain benefits; altering the number of years of service certain members of the State Retirement and Pension System must accrue to vest in certain retirement and pension systems of the State Retirement and Pension System; and generally relating to members of the State Retirement and Pension System vesting in the several systems of the State Retirement and Pension Systems.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–401, 29–302(a) and (b), and 29–303(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 29–302(b) and 29–303(b)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 306 – Delegate Frush**

AN ACT concerning

#### **Task Force on Solar Hot Water Systems in Prince George’s County**

FOR the purpose of reestablishing the Task Force on Solar Hot Water Systems in Prince George’s County; providing for the members of the Task Force; providing for the designation of a chair of the Task Force; requiring the Prince George’s County government to provide staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; providing that a member of the Task Force may receive reimbursement of certain expenses; requiring the Task Force to study certain matters and make certain findings and recommendations; requiring the Task Force to report its findings and recommendations to the Prince George’s County Senators, the Prince George’s County Delegation, the Prince George’s County Council, the Prince George’s County Executive, and certain committees of the General Assembly on or before a certain date; stating a certain intent of the General Assembly concerning technical assistance provided by the Maryland Energy Administration; stating a certain intent of the General Assembly concerning the selection of Task Force members; providing for the termination of this Act; and generally relating to the Task Force on Solar Hot Water Systems in Prince George’s County.

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

### **House Bill 307 – Delegate Eckardt**

AN ACT concerning

#### **Health Occupations – Facilities for Dental Radiology**

FOR the purpose of authorizing a licensed dentist to own and operate a certain facility; authorizing the staffing of certain facilities and the operation of certain equipment during certain time periods without the availability of a licensed dentist on the premises under a certain circumstance; requiring the State Board of Dental Examiners to adopt certain regulations; authorizing certified dental radiation technologists to practice dental radiation technology in certain facilities without the availability of a licensed dentist on the premises under a certain circumstance; requiring certified dental radiation technologists to provide certain protection of a patient’s body during the use of radiation; making a certain exception; defining certain terms; and generally relating to the practice of dental radiation technology in facilities for dental radiology.



BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 4–505  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health Occupations  
Section 4–505.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 308 – Delegates Kaiser, Arora, Conaway, Cullison, Lee, McIntosh, A. Miller, B. Robinson, S. Robinson, Sophocleus, Waldstreicher, and Zucker**

AN ACT concerning

**Maryland Department of Transportation – Study of Feasibility of Requiring the Use of Electric and Electric–Hybrid School Buses**

FOR the purpose of requiring the Maryland Department of Transportation to study the feasibility of requiring that electric and electric–hybrid school buses be used to transport students enrolled in the public schools in the State; requiring that in conducting the study the Department consult with and enlist the participation of a wide range of interested stakeholders; requiring the Secretary of Transportation 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 on electric and electric–hybrid school buses by the Maryland Department of Transportation.

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

**House Bill 309 – Delegate Frush**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Circuit Court Judges – Election and Term of Office**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; providing for a transitional period under which the terms of certain amendments are to become effective; making stylistic changes; generally relating to the selection, election, appointment, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 3, 5, 5A, and 11

BY proposing an addition to the Maryland Constitution  
Article XVIII – Provisions of Limited Duration  
Section 6

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

**House Bill 310 – Delegate Frush**

AN ACT concerning

**Motor Vehicles – Registration Plate Covers**

FOR the purpose of altering the definition of “registration plate cover” that applies to certain prohibited acts to exclude clear covers and certain covers that do not obscure or block any of the characters of the registration plate, and to include certain covers that function to obscure or block any characters of the registration plate.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–411(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–411.1  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 311 – Delegate Hubbard**

AN ACT concerning

**Professional Counselors and Therapists – Continuing Education – Home Study**

FOR the purpose of repealing a provision prohibiting the State Board of Professional Counselors and Therapists from authorizing home study courses towards completion of continuing education requirements.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 17–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 312 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Sentence Review – Review Panel**

FOR the purpose of altering the number of judges on a criminal sentence review panel; altering a certain definition to require review panel judges to be of a certain judicial circuit; clarifying who is entitled to a sentence review by a review panel; clarifying that a sentence includes any suspended portion for the purposes of a sentence review; repealing a provision of law authorizing a certain sentencing judge to sit with a review panel in an advisory capacity; authorizing a review panel to confer with a certain sentencing judge; establishing that a review panel has jurisdiction over a defendant's case once a sentence has been changed; clarifying who may be heard at a criminal sentence review hearing; and generally relating to criminal sentence reviews and review panels.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–101, 8–102, 8–105, and 8–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 313 – Delegate Stein**

AN ACT concerning

**Natural Resources – Woodland Incentives Fund – Renaming**

FOR the purpose of renaming the Woodland Incentives Fund to be the Mel Noland Woodland Incentives Fund; making certain conforming changes; and generally relating to the Woodland Incentives Fund.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–204(a)(2)(ii), 5–301(g), and 5–307(a), (b), and (j)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2A–04(c)(2)(iv)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–306(a)(3)(i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 314 – Delegates Gaines, Healey, and Ross**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Park Town  
Hall Expansion**

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 Mayor and Town Council of the Town of Riverdale Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 315 – Delegates Niemann, Ivey, Summers, and Vallario**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – War of 1812 Monument – Interpretive Marker**

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 Aman Memorial Trust, Inc. and 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 316 – Delegates Frush and Hubbard**

AN ACT concerning

**Criminal Procedure – Dual Jurisdiction – Juvenile Offenders**

FOR the purpose of authorizing a circuit court that has jurisdiction over certain criminal cases involving a juvenile to impose simultaneously a juvenile disposition and an adult sentence; authorizing the court to order the child to complete the juvenile disposition and to suspend the adult sentence under certain circumstances; authorizing the court to change a disposition while a child is under the court’s jurisdiction under certain circumstances; and generally relating to juvenile offenders.

BY adding to

Article – Criminal Procedure

Section 4–202.3

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 317 – Baltimore County Delegation (By Request – Baltimore County Administration)**

AN ACT concerning

**Baltimore County – Tax Sales – Notification**

FOR the purpose of eliminating a requirement that in Baltimore County the collector post a statement and notice on certain property before the property is advertised for sale at a tax sale; eliminating a certain fee related to tax sales in Baltimore County; and generally relating to certain tax sales in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–812 and 14–813(e)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 318 – Delegates Eckardt, Afzali, George, Haddaway–Riccio, McComas, McDermott, McMillan, W. Miller, and Stocksdales**

AN ACT concerning

**Ignition Interlock System Program – Mandatory Participation**

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; altering the circumstances under which individuals may participate in the Program; requiring the Administration to require an individual convicted of, or granted probation for, certain alcohol–related driving offenses to participate in the Program for certain minimum amounts of time; requiring the Administration to require a certain individual to successfully complete the Program; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring the Administration to suspend the drivers’ licenses of certain individuals who are in violation of the Program for certain amounts of time; requiring the Administration to establish a certain fee; 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; establishing that an individual shall be credited for any successful participation in the Program that occurs before a hearing in court; providing a certain mandatory minimum penalty for a person who is convicted of driving while the person’s license to drive is suspended or revoked if the person’s license to drive was suspended or revoked as a result of certain alcohol–related driving

offenses or a failure to successfully complete the Program; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(b) and (f) and 27–101(j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–107(g)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 319 – Delegate Frush**

AN ACT concerning

#### **Motor Vehicle Dealers – Issuance of Temporary Registration Plate – Lapsed Security – Registration**

FOR the purpose of authorizing a licensed motor vehicle dealer to issue a temporary registration plate to a vehicle buyer who is subject to a penalty for lapsed security; establishing an exception for certain vehicles to the prohibition against the Motor Vehicle Administration issuing a new registration if the vehicle owner is subject to a penalty for lapsed security; and generally relating to registration of a motor vehicle owned by a person who is subject to a penalty for lapsed security.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–602 and 17–106(e)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 17–104(a) and 17–106(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 320 – Delegate Frush**

AN ACT concerning

**Motor Vehicles – Disposal Under Indemnity Agreement – Repeal**

FOR the purpose of repealing a provision of law that authorizes certain persons to transfer certain inoperable motor vehicles to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling certain notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require certain motor vehicle transferors to execute an indemnity agreement; and generally relating to the disposal of inoperable motor vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 25–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Transportation  
Section 25–210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 321 – Delegates Frush and Hubbard**

AN ACT concerning

**Ethics – Financial Disclosure – Fundraising for Nonprofit or Charitable Organization**

FOR the purpose of requiring State financial disclosure statements filed by certain persons to include a complete description of certain fundraising activity performed by or on behalf of a nonprofit or charitable organization or foundation; requiring that for each fundraising activity reported, the financial disclosure statement include for the organization or foundation certain information related to location, management, contributions, employment, and expenditures; requiring administrative rules of the Maryland Court of Appeals governing financial disclosure to include certain disclosure of certain fundraising activity for a nonprofit or charitable organization or foundation; and generally relating to financial disclosure of certain fundraising activity by a nonprofit or charitable organization or foundation.

BY repealing and reenacting, without amendments,



Article – State Government  
Section 15–601 and 15–607(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 15–607(j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 15–607(j) and (k) and 15–610  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 322 – Delegates Bobo, Arora, Barkley, Barve, Carr, Dumais, Gilchrist, Hubbard, Hucker, Kaiser, Mizeur, Simmons, F. Turner, and Zucker**

AN ACT concerning

**Campaign Finance – Affiliated Business Entities – Attribution of Contributions**

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; 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  
(2010 Replacement Volume)

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

**House Bill 323 – Delegates Feldman, Dumais, and A. Miller**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Ivymount School Annex Building**

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 Ivymount 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 324 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

**Creation of a State Debt – Baltimore City – American Art Visionary Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$55,000, the proceeds to be used as a grant to the Board of Directors of the American Visionary Art 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 325 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Child Abuse and Neglect Central Registry – Background Check Fee**

FOR the purpose of authorizing the State Department of Human Resources or a local department of social services to charge a reasonable fee not exceeding a certain amount for processing certain requests for background information from the child abuse and neglect central registry; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–714

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 326 – Delegates Lafferty, Aumann, Cardin, Frank, Stein, and Weir**

AN ACT concerning

**Baltimore County – Winery Special Event Permits – Farmers’ Markets**

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers’ markets in Baltimore County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers’ markets in Baltimore County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(9)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 327 – Delegates Morhaim and Barnes**

AN ACT concerning

**Tobacco Products – Manufacturer Certification – Filing Fee**

FOR the purpose of requiring certain tobacco product manufacturers to pay a certain certification filing fee of a certain amount; and generally relating to a certification filing fee for tobacco product manufacturers.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 16–503  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 328 – Delegate Feldman**

AN ACT concerning

**Accountants – Regulation – Preparation of a Compilation of Financial Statements**

FOR the purpose of altering certain definitions related to the practice of certified public accountancy; including the preparation of certain compilations of financial statements in the list of services that are not prohibited, under certain circumstances, under certain provisions of law that regulate certified public accountants; altering a certain requirement that certain firms hold certain permits under certain circumstances; requiring the State Board of Public Accountancy to adopt certain regulations; making certain technical changes; defining a certain term; and generally relating to the regulation of accountants.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–101, 2–102, 2–401, and 2–4A–01  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 329 – Delegates S. Robinson, Arora, Barkley, Conaway, Cullison, Gilchrist, Hucker, A. Kelly, Lee, Luedtke, A. Miller, O'Donnell, Ready, Reznik, B. Robinson, Summers, Waldstreicher, and Zucker**

AN ACT concerning

**Public Information Act – Required Denials – Senior Citizen Activities Centers**

FOR the purpose of requiring a custodian of records under the Public Information Act to deny inspection of the part of a public record that contains certain information regarding an individual enrolled in or a member of certain senior citizen activities centers; defining a certain term; and generally relating to the inspection of the records of senior citizen activities centers under the Public Information Act.

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 10–513(c)  
Annotated Code of Maryland  
(2007 Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 10–617(m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 330 – Delegates Gutierrez, Anderson, Barkley, Cullison, Frick, Frush, Gilchrist, Glenn, Haynes, Healey, Lee, Luedtke, A. Miller, B. Robinson, S. Robinson, Washington, and Wilson**

AN ACT concerning

**Firearms – Detachable Magazines – Maximum Capacity for Ammunition**

FOR the purpose of altering the maximum capacity for ammunition in a detachable magazine for a firearm that can be sold, offered for sale, purchased, received, or transferred; altering the number of rounds of ammunition in a magazine or an assault pistol, which when used by a person in the commission of a felony or crime of violence, results in that person being guilty of a misdemeanor and subject to certain penalties; and generally relating to firearms with detachable magazines.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–305 and 4–306  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 331 – Delegates F. Turner, Olszewski, Barve, Boteler, Branch, Bromwell, Conaway, DeBoy, Elliott, Frush, Kipke, McDermott, Minnick, Myers, B. Robinson, Stukes, V. Turner, Valderrama, Weir, and Wood**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Video Lottery Gaming – Table Games**

FOR the purpose of amending the Maryland Constitution to authorize a person that holds a video lottery operation license to offer table games, such as poker, blackjack, craps, and roulette, to the public; and submitting this amendment to the qualified voters of the State 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 332 – Delegates Wood, Conway, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Burns, Cane, Clagett, Costa, DeBoy, Dwyer, Eckardt, Fisher, George, Glass, Haddaway–Ricchio, Hershey, Impallaria, James, Jameson, K. Kelly, Kipke, Love, Malone, McDermott, McMillan, Minnick, Murphy, O’Donnell, Otto, Proctor, Ready, B. Robinson, Schuh, Schulz, Smigiel, Sophocleus, Stocksdale, Stukes, Szeliga, Vallario, Vitale, Weir, and Wilson**

AN ACT concerning

**Charlotte Hall Veterans Home – Gifts and Grants – Authority to Accept and Spend**

FOR the purpose of authorizing the Charlotte Hall Veterans Home to accept certain gifts and grants for use at the Home; providing for certain uses and administration of the gifts and grants accepted for use at the Home; requiring the Director of the Veterans Home Program and the Secretary of Veterans Affairs to report each year on the status of the gifts and grants accepted for use at the Home; and generally relating to the authority of the Charlotte Hall Veterans Home to accept and spend certain gifts and grants.

BY adding to

Article – State Government  
Section 9–912.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 333 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Administration – Simplification**

FOR the purpose of clarifying that certain employees of the Baltimore Metropolitan Council may participate in the State Employee and Retiree Health and Welfare Benefits Program; clarifying that the definition of “Social Security integration level” for purposes of calculating certain State Retirement and Pension System benefits only applies to certain members of the several systems who are eligible

to receive certain benefits; clarifying that the State is required to pay a certain amount of the cost of special death benefits for members of the State Police Retirement System; clarifying that certain retirees of withdrawn participating governmental units of the State Retirement and Pension System are subject to a certain break in service before becoming reemployed by the same withdrawn participating governmental unit; clarifying that a certain death benefit may not be paid for certain members of the Law Enforcement Officers' Pension System if a certain other death benefit is also payable; and generally relating to simplifying the administration of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–511, 20–101(nn), 21–307(e), 22–406(d), 23–407(d), 25–403(h),  
26–403(f), and 29–202

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 334 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Completing and Submitting an  
Application for Service Retirement**

FOR the purpose of providing that, under certain conditions, a department head, the Secretary of State Police, or a State or county superintendent of schools may complete and submit an application for service retirement instead of disability retirement on behalf of certain members of the State Retirement and Pension System; and generally relating to completing an application for service or disability retirement for a member of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–103

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 335 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Military Service Credit – Eligibility**

FOR the purpose of altering the criteria used to determine the eligibility of certain members of the State Retirement and Pension System to receive service credit for military service so as to require a certain amount of service credit in the State Retirement and Pension System in a certain manner; and generally relating to eligibility criteria for certain members of the State Retirement and Pension System to receive service credit for military service.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 38–104(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 336 – Delegates Burns, Boteler, DeBoy, George, Glass, Holmes, Ivey, James, Jameson, Kach, Lafferty, Minnick, Nathan–Pulliam, O’Donnell, Smigiel, Stukes, Szeliga, Tarrant, Weir, and Wood**

AN ACT concerning

**Task Force on Military Service Members, Veterans, and the Courts**

FOR the purpose of creating a Task Force on Military Service Members, Veterans, and the Courts; providing for the composition, chair, and staffing of the Task Force; providing that a member of the Task Force may not receive compensation but may be reimbursed for certain expenses; requiring the Task Force to study the military service–related mental health issues and substance abuse problems that may apply or arise in certain court cases and to consider recommending the establishment of a special court for eligible defendants who are veterans or members of the armed services on active duty who appear to suffer from certain problems related to military service; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor, Chief Judge of the Court of Appeals, and the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Military Service Members, Veterans, and the Courts.

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

**House Bill 337 – Delegates Frush, Barnes, and Pena–Melnyk**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Election Law – Recall Elections – Felony Indictment or Conviction**



FOR the purpose of adding a new article to the Maryland Constitution requiring the General Assembly to pass laws necessary to establish standards and procedures for recall elections for certain State officials who have been indicted for or convicted of a felony; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
New Article XVII–A – Recall Elections  
Section 1

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

**House Bill 338 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unclaimed Money – Former Members, Retirees, and Beneficiaries**

FOR the purpose of authorizing the State Retirement Agency to publish the names of certain former members, retirees, or beneficiaries of former members or retirees of the State Retirement and Pension System and the names of certain participating employers in a certain manner, if the individuals are entitled to certain money from the State Retirement and Pension System; and generally relating to notifying former members, retirees, and beneficiaries of the State Retirement and Pension System of unclaimed money due the individuals.

BY adding to  
Article – State Personnel and Pensions  
Section 21–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 339 – Delegates Frush, Busch, Alston, Anderson, Barkley, Barnes, Barve, Braveboy, Carr, Frick, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Hubbard, Hucker, Ivey, Kipke, Lee, Morhaim, Niemann, Pena–Melnyk, Proctor, B. Robinson, Ross, Rudolph, Summers, Tarrant, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, and Zucker**

AN ACT concerning

**Task Force on the Establishment of a Statewide Spay/Neuter Fund**

FOR the purpose of establishing a Task Force on the Establishment of a Statewide Spay/Neuter Fund; specifying the membership, chair, and staff of the Task Force; specifying that a member of the Task Force may not receive compensation, but may receive reimbursement for certain expenses; requiring the Task Force to review certain spay/neuter programs, develop a certain spay/neuter program, and make certain recommendations; requiring the Task Force to report its findings and recommendations to the Governor and certain committees of 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 Establishment of a Statewide Spay/Neuter Fund.

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

### **House Bill 340 – Delegates Dumais and Simmons**

AN ACT concerning

#### **Health Care Malpractice – Certificate and Report of Qualified Expert – Objection**

FOR the purpose of establishing when objections to a certificate of a qualified expert or expert report are required to be filed in health care malpractice cases; requiring a party to file a legally sufficient certificate of a qualified expert and report within a certain time after an arbitration panel chairman or the court rules a certificate or report is legally insufficient; and generally relating to health care malpractice.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–04(a)(1)(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–04(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 341 – Delegate Lafferty**

AN ACT concerning

#### **Environment – At-Store Recycling – Plastic Carryout Bags**

FOR the purpose of requiring the operator of certain retail stores to establish an at-store recycling program for plastic carryout bags; requiring certain retail stores to print or display certain language on plastic carryout bags provided by the store; requiring certain stores to provide certain collection bins for the recycling of plastic carryout bags in a certain manner; requiring certain stores to make reusable bags available to customers; requiring a plastic carryout bag manufacturer to develop and make available certain educational materials; providing that a county or municipality is not prohibited from adopting certain ordinances, resolutions, regulations, or rules under certain circumstances; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring certain civil penalties to be deposited into a certain Fund; requiring the Department of the Environment to adopt certain regulations; defining certain terms; and generally relating to the recycling of plastic carryout bags.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1701  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1707(f)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Environment  
Section 9–1733 through 9–1736 to be under the new part “Part V. Plastic Carryout Bag Recycling”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 342 – Delegates Cluster, Afzali, Bates, Boteler, Dwyer, Elliott, Hershey, Impallaria, Kach, K. Kelly, McComas, McConkey, McDermott, McDonough, W. Miller, Minnick, Myers, Norman, O’Donnell, Parrott, Ready, Schuh, Schulz, Smigiel, Stocksedale, Szeliga, and Weir**

AN ACT concerning

**Criminal Procedure – Undocumented Immigrants – Prohibition on Pretrial Release**

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

BY renumbering

Article – Criminal Procedure  
Section 5–202(h) and (i), respectively  
to be Section 5–202(i) and (j), respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Criminal Procedure  
Section 5–202(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 343 – Delegates Impallaria, Aumann, Dwyer, Elliott, Frank, Glass, Haddaway–Riccio, Krebs, McComas, McDermott, McDonough, W. Miller, Myers, Schuh, Stocksdale, Szeliga, and Wood**

AN ACT concerning

**Public Safety – Handgun Permits – Repeal of Finding Requirements**

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 2010 Supplement)

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

**House Bill 344 – Delegates Branch, Alston, Anderson, Conaway, Dumais, and Mitchell**

AN ACT concerning

**Criminal Law – Electronic Control Devices – Restrictions on Possession and Use**

FOR the purpose of including electronic control devices in the definition of “weapon” for purposes of certain provisions of law that prohibit a person from wearing or carrying a dangerous weapon under certain circumstances; prohibiting a person from using an electronic control device in the commission of certain crimes or on a law enforcement officer under certain circumstances; establishing a certain penalty; defining certain terms; and generally relating to restrictions on the possession and use of electronic control devices.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–101 and 4–109  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 345 – Delegates Simmons, Cullison, Frank, Haddaway–Riccio, Hucker, Lee, Luedtke, W. Miller, Tarrant, F. Turner, and Wilson**

AN ACT concerning

**Wiretapping and Electronic Surveillance – Investigation of Human Trafficking**

FOR the purpose of adding certain human trafficking offenses to those crimes for which evidence may be gathered by interception of oral, wire, or electronic communications; and generally relating to wiretap and electronic surveillance and human trafficking.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 346 – Delegates Donoghue, Costa, Glenn, Haynes, Kach, Nathan–Pulliam, Pena–Melnik, Tarrant, and V. Turner**

AN ACT concerning

**Health – State Facilities and Residential Centers – Definition of Abuse and Required Guidelines for Employees**

FOR the purpose of altering certain definitions of “abuse” for purposes of certain reporting requirements by specifying that “abuse” does not include certain actions taken by certain employees; requiring the Department of Health and Mental Hygiene to develop certain guidelines in consultation with certain employee organizations and to provide training on implementation of the guidelines to certain employees; requiring the Department to report to certain committees of the General Assembly on or before a certain date; requiring the Department to complete implementation of certain guidelines on or before a certain date; and generally relating to State facilities and residential centers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–1005 and 10–705  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 347 – Delegate Lafferty**

AN ACT concerning

#### **Environment – Nitrogen Removal Technology – Evaluation and Ranking**

FOR the purpose of requiring the Department of the Environment to evaluate and rank certain nitrogen removal technologies for on–site sewage disposal systems for certain purposes; requiring the Department to request certain information from certain vendors for certain purposes; defining certain terms; and generally relating to nitrogen removal technology for on–site sewage disposal systems.

BY adding to  
Article – Environment  
Section 9–1108.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 348 – Delegate Cardin**

AN ACT concerning

#### **Election Law – Citizens Who Have Not Lived in the United States – Right to Vote**

FOR the purpose of providing that a citizen who has not lived in the United States but has a parent who is a registered voter in the State is a resident of the State for purposes of voter registration; prohibiting an individual from being considered a resident of the State if the individual has established a domicile outside the State; authorizing an individual to register to vote and vote in the county in the State where a parent resides if the individual meets certain requirements; and generally relating to enfranchising certain citizens who have not lived in the United States.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–102  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 349 – Delegate Simmons**

AN ACT concerning

#### **Peace Orders and Protective Orders – Shielding of Records – Orders Issued Against Respondent**

FOR the purpose of limiting a condition under which the court is required to shield all court records relating to a peace order or protective order proceeding by requiring, as a prerequisite of shielding, the absence of a previously issued final peace order or protective order against the respondent or a pending interim or temporary peace order or protective order against the respondent; and generally relating to the shielding of certain court records relating to peace order and protective order proceedings.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1510  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–512  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS****House Joint Resolution 3 – Delegates Hubbard and Frush**

A House Joint Resolution concerning

**Reform of the Federal Toxic Substances Control Act of 1976**

FOR the purpose of expressing support for the reform of the federal Toxic Substances Control Act of 1976.

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 44 – Senator Middleton**

AN ACT concerning

**~~Insurance~~ – Qualified State Long–Term Care Insurance Partnership Program  
– Reporting**

FOR the purpose of clarifying the scope of a certain report on the Qualified State Long–Term Care Insurance Partnership Program; making a stylistic change; and generally relating to the Qualified State Long–Term Care Insurance Partnership Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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



**Senate Bill 57 – 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 expanding the application of certain certificate of need requirements relating to the closure or partial closure of a hospital to certain other health care facilities; authorizing the Maryland Health Care Commission to require a certain health care facility to hold a certain hearing in a certain location; requiring the hearing to be held in consultation with the Commission and within a certain time period; 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  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Judicial Review of Board of Appeals Decision – Passage of Order**

FOR the purpose of repealing the requirement that the Board of Appeals pass a certain order on final decision in a judicial review proceeding; making this Act an emergency measure; and generally relating to the judicial review of a Board of Appeals decision.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–5A–12  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 59 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Company Action Level Events – Health Insurers**

FOR the purpose of specifying when a certain company action level event occurs for health insurers; making stylistic changes; and generally relating to financial regulation of health insurers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 4–305(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

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

**Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Administration of Claims – Changes to Withholding Status**

FOR the purpose of repealing the limitation on the number of times per benefit year a claimant for unemployment insurance benefits may change a previously elected withholding status; and generally relating to the administration of unemployment insurance benefit claims.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–810  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 66 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System Central  
Repository – Reportable Events**

FOR the purpose of repealing the requirement that the release of a person after arrest without the filing of a charge must be reported to the Criminal Justice Information System Central Repository; and generally relating to the Criminal Justice Information System Central Repository.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–215(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**MESSAGE TO THE SENATE**

February 2, 2011

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, February 3, 2011 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 Ivey and Haddaway–Riccio to escort your Honorable Body to the House Chamber.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House, to escort the Governor to the House Chamber. We have appointed Delegates F. Turner, Frush and Myers.

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 Waldstreichler, Valderrama, and Costa.

BY ORDER,  
MARY MONAHAN,  
CHIEF CLERK

Read and adopted.

**MESSAGE FROM THE SENATE**

February 2, 2011

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, February 3, 2011 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 Garagiola, Pugh and Jacobs 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, Currie and Pipkin 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 130 Members present.

(See Roll Call No. 34)

**ADJOURNMENT**

At 10:19 A.M. on motion of Delegate Barve the House adjourned until 11:45 A.M. on Thursday, February 3, 2011.

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**Annapolis, Maryland  
Thursday, February 3, 2011**

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The House met at 11:54 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Maggie McIntosh of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 35)

The Journal of February 2, 2011 was read and approved.

**EXCUSES:**

Del. Glenn – late – personal

Del. McDonough – personal

Del. Vallario – personal

**INTRODUCTION OF BILLS**

**House Bill 350 – Delegates Frick, Barve, Cullison, Gilchrist, A. Kelly, Kramer, Lee, Reznik, Waldstreicher, and Zucker**

AN ACT concerning

**Creation of a State Debt – Montgomery County – JCCGW Theatre 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 Jewish Community Center of Greater Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 351 – Delegates Carter, Anderson, and Vallario**

AN ACT concerning

**Orphans' Court – Minors – Guardianship of Person**

FOR the purpose of providing that an orphans' court may exercise jurisdiction over guardianship of the person of a minor regardless of whether the presiding judge of the orphans' court is a member of the Bar of Maryland; providing for the application of this Act; and generally relating to the jurisdiction of an orphans' court over 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 2010 Supplement)

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

**House Bill 352 – Delegates Haynes, Mitchell, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Garrett–Jacobs Mansion Ballroom**

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; 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 Anderson, Vallario, Alston, Carter, Conaway, and Glenn**

AN ACT concerning

**Criminal Procedure – Drug–Related Offenses – Repeal of Mandatory  
Minimum Sentences**

FOR the purpose of repealing certain mandatory minimum sentences for certain drug–related offenses; specifying that a person convicted of certain drug–related offenses is not prohibited from participating in a certain drug treatment

program; providing that a person who is serving a term of confinement that includes a mandatory minimum sentence imposed on or before a certain date is entitled to be granted a certain hearing and a certain sentence review; requiring that a person who seeks to be granted a hearing or sentence review submit an application on or before a certain date; altering certain penalties; altering the requirements for the imposition of certain penalties; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of certain drug-related offenses; and generally relating to penalties for drug-related offenses.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–602, 5–603, 5–604, 5–605, and 5–606  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–607, 5–608, and 5–609  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 354 – Delegates V. Turner, Alston, Costa, Donoghue, Elliott, Healey, Hubbard, Kach, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Valderrama, and Valentino–Smith**

AN ACT concerning

**Health Occupations – Temporary Volunteer Dentist’s License, Temporary Volunteer Dental Hygienist’s License, and Temporary Dental Clinic Permit**

FOR the purpose of establishing a temporary volunteer dentist’s license, a temporary volunteer dental hygienist’s license, and a temporary dental clinic permit under the State Board of Dental Examiners; establishing certain procedures for dentists, dental hygienists, and bona fide charitable organizations to apply for certain licenses and permits; establishing the scope of practice of certain licenses; prohibiting the Board from requiring continuing education as a condition for the issuance of certain licenses; requiring temporary dental clinics to have a medical emergency plan, certain equipment, and certain safeguards;

specifying certain powers of the Board; altering certain definitions; defining a certain term; making a stylistic change; and generally relating to the establishment of a temporary volunteer dentist's license, a temporary volunteer dental hygienist's license, and a temporary dental clinic permit.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–101, 4–304, and 4–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 355 – Delegates Schulz, Afzali, Aumann, Boteler, Clagett, Cluster, Frank, Hershey, Hogan, Hough, McDermott, Minnick, Myers, Ready, Serafini, Smigiel, and Weir**

AN ACT concerning

**Natural Resources – Hunting – Junior Deer Hunt**

FOR the purpose of requiring the Department of Natural Resources to establish by regulation and by a certain date each year a junior deer hunt to occur on certain days during the bow hunting season; prohibiting the regulations from authorizing the junior deer hunt to occur on certain Sundays in certain counties; authorizing certain persons who are under a certain age to participate in the junior deer hunt under certain circumstances; authorizing a person who participates in the junior deer hunt to use a firearm to hunt deer during the hunt; establishing a certain exception to the prohibition against Sunday deer hunting; and generally relating to the regulation of hunting.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–405(a) and 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 356 – Delegates Niemann, Barnes, Cane, Carr, Frush, Glenn, Healey, Holmes, James, McIntosh, S. Robinson, Ross, Stein, Stukes, Walker, and Wilson**

AN ACT concerning

**Motor Vehicles – Towing Practices and Procedures**



FOR the purpose of establishing a motor vehicle towing, recovery, and storage lien on a towed motor vehicle on behalf of the tower for certain towing, recovery, and storage charges; prohibiting a motor vehicle towing, recovery, and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; providing that a motor vehicle towing, recovery, and storage lienor may only sell a motor vehicle to which a lien is attached in a certain manner; requiring a motor vehicle towing, recovery, and storage lienor to return certain motor vehicle registration plates to the Motor Vehicle Administration under certain circumstances; requiring the Motor Vehicle Administration to provide a receipt for the return of certain motor vehicle registration plates; establishing certain notice and publication requirements for the public sale of a towed vehicle; requiring the Administration to issue a salvage certificate to the purchaser of an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien under certain circumstances; providing for the application process for a salvage certificate for an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien; requiring certain motor vehicle towing, recovery, and storage lienors to file a certain court action in a certain manner under certain circumstances; requiring the Motor Vehicle Administration to issue a certificate of title that contains a conspicuous "salvage" notation under certain circumstances; clarifying the application of certain security requirements for tow trucks; altering certain security requirements for tow trucks; altering certain penalties for certain violations related to tow truck vehicle registration; providing for the statewide application of certain provisions of law governing the towing or removal of vehicles from parking lots; altering the content required on certain signage related to the towing, recovery, and storage of vehicles; altering the maximum distance that, and the locations to which, a vehicle towed from a parking lot may be transported for storage, subject to a certain exception; altering certain maximum amounts that a person may charge for towing, recovering, and storing a vehicle under certain circumstances; authorizing a tower to charge certain persons for the actual costs of providing certain notice; altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to provide certain notice to certain persons within a certain time period after towing a vehicle from a parking lot; requiring a tower to provide certain persons with certain itemized costs; requiring a tower to obtain certain photographic evidence from the parking lot owner before towing a vehicle from a parking lot; prohibiting a tower from towing a vehicle for a certain violation within a certain time period; altering the storage facility to which a tower is required to transport a towed vehicle; prohibiting the removal of a towed vehicle from a certain storage facility for a certain time period; clarifying the required opportunity that certain persons must provide for the reclamation of a towed vehicle; requiring a tower to release a towed vehicle to certain persons under certain circumstances; requiring a storage facility for towed vehicles to accept payment in certain manners under certain circumstances and to make an automatic teller machine available on the premises under certain circumstances; requiring a storage facility that is in

possession of a towed vehicle to make the vehicle available to certain persons for certain purposes; altering the persons eligible to seek certain civil damages from a tower under certain circumstances; altering certain penalties for certain towing violations; establishing certain penalties for violations relating to motor vehicle towing, recovery, and storage liens; making a certain stylistic change; making a certain technical correction; altering a certain definition; and generally relating to motor vehicle towing practices and procedures.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 16–202(c) and 16–207  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 16–206  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–152, 13–506(b), (e), and (f), 13–507(b), 13–920, 21–10A–01 through  
21–10A–06, and 27–101(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 13–506(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–507(a)(1) and (2) and 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 357 – Chair, Economic Matters Committee**

AN ACT concerning

**State Real Estate Commission – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Real Estate 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 certain statutory and regulatory authority of the Commission; requiring the Commission to include certain information in its annual report to the Secretary of Labor, Licensing, and Regulation; increasing the amount that a person may recover for each claim against the Real Estate Guaranty Fund; requiring the licensee to submit notice of the change, certain documentation, and a certain fee to the Commission if the address of the affiliated brokerage of a licensed associate real estate broker or a licensed real estate salesperson changes; increasing a certain fee for collection of a dishonored check; requiring the Commission to submit a certain report on or before a certain date; and generally relating to the State Real Estate Commission.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–210, 17–404(b), 17–520, 17–521(a), and 17–702  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(60)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 358 – Chair, Economic Matters Committee**

AN ACT concerning

**Office of the Commissioner of Financial Regulation, the Banking Board, and  
the State Collection Agency Licensing Board – Sunset Extension and  
Program Evaluation**

FOR the purpose of repealing the Banking Board in the Department of Labor, Licensing, and Regulation; continuing the Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board 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 Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board; requiring that an evaluation of the Office of the Commissioner of Financial Regulation and the State Collection Licensing Board and the statutes and regulations that relate to them be performed on or before a certain date; repealing certain provisions requiring the Commissioner of Financial Regulation to seek the advice of the Banking Board on certain matters; providing that deposits of certain trust money in financial institutions located outside the State are subject to the approval of the Commissioner of Financial Regulation instead of the Banking Board; requiring the Commissioner to implement a risk-based mortgage lender licensee examination schedule on or before a certain date and report to certain committees of the General Assembly on the implementation of the examination schedule on or before a certain date; requiring the Maryland Judiciary, in consultation with the State Collection Agency Licensing Board and the Attorney General's Office, to study a certain issue and report its findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to the Office of the Commissioner of Financial Regulation, the State Collection Agency Licensing Board, and the Banking Board.

BY repealing

Article – Business Regulation  
Section 2-108(a)(4)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY renumbering

Article – Business Regulation  
Section 2-108(a)(5) through (34), respectively  
to be Section 2-108(a)(4) through (33), respectively  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing

Article – Financial Institutions  
Section 2-201 through 2-204 and the subtitle “Subtitle 2. Banking Board”; and  
2-402  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 7-502  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

## Article – Financial Institutions

Section 2–401, 3–203(d)(1), 3–607, 3–705, 4–203(d)(1), 4–701(b), 4–803(d)(1),  
5–209(a), 5–405(b), and 5–801

Annotated Code of Maryland

(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

## Article – Financial Institutions

Section 3–203(a), 4–203(a), 4–701(a), 4–803(a), and 5–405(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

## Article – Insurance

Section 22–103

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

## Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

## Article – State Government

Section 8–403(b)(13) and (24)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing

## Article – State Government

Section 8–403(b)(8)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY renumbering

## Article – State Government

Section 8–403(b)(9) through (68), respectively

to be Section 8–403(b)(8) through (67), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 359 – Delegates Hough, Afzali, Boteler, Clippinger, Cluster, DeBoy, Krebs, McComas, McDermott, McDonough, McMillan, Parrott, Ready, B. Robinson, Schuh, Schulz, Simmons, Smigiel, and Valderrama**

AN ACT concerning

**Criminal Law – Selling a Controlled Dangerous Substance to a Minor –  
Causing Death**

FOR the purpose of prohibiting a person of a certain age from selling to a minor a controlled dangerous substance, the use or ingestion of which directly causes the death of the minor; establishing a penalty for a violation of this Act; providing that a certain sentence shall be separate from and consecutive to or concurrent with a certain other sentence; providing that a conviction under this Act may not merge with a conviction under a certain provision of law; defining a certain term; making a conforming change; and generally relating to selling a controlled dangerous substance to a minor.

BY adding to

Article – Criminal Law  
Section 5–602.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 5–607(a)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 360 – Delegates Simmons and McDermott**

AN ACT concerning

**Vehicle Laws – Ignition Interlock System Program – Mandatory  
Participation**

FOR the purpose of altering the Motor Vehicle Administration’s authority to establish an Ignition Interlock System Program by requiring the Administration to establish the Program; requiring rather than authorizing the Administration to establish a protocol for the Program by certain regulations; altering the circumstances under which individuals may participate in the Program; requiring an individual to participate in the Program if the individual is required to do so by a court under a certain provision of law; requiring a court to order participation in the Program for an individual convicted of, or granted

probation for, certain alcohol-related driving offenses under certain circumstances; authorizing a court to choose not to require an individual who is a first time offender or who meets certain other criteria to participate in the Program if the court makes and states on the record a certain finding; requiring a court to consider certain factors in making a certain finding; making certain technical and stylistic changes; defining certain terms; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–205.1(a)(1)(iv)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(b) and 27–107(a) through (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 361 – Chair, Economic Matters Committee**

AN ACT concerning

#### **State Board of Master Electricians – Sunset Extension and Revision**

FOR the purpose of continuing the State Board of Master Electricians 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 State Board; requiring the State Board to adopt regulations to establish continuing education requirements; conditioning the ability to renew a certain license on compliance with certain continuing education requirements; requiring that an evaluation of the State Board and the statutes and regulations that relate to the State Board be performed on or before a certain date; requiring the State Board, in conjunction with the Department of Labor, Licensing, and Regulation, to submit a certain report on or before a certain date; and generally relating to the State Board of Master Electricians.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 6–205, 6–310(c), and 6–702  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(18)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 362 – Chair, Economic Matters Committee**

AN ACT concerning

#### **Maryland Home Improvement Commission – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Maryland Home Improvement 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; continuing the Maryland Mold Remediation Services Act in accordance with the provisions of the sunset law by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission under the Maryland Mold Remediation Services Act; requiring that an evaluation of the Commission and the statutes and regulations that relate to the Commission and the Maryland Mold Remediation Services Act be performed on or before a certain date; requiring the Commission to submit certain reports about a certain fund to certain committees of the General Assembly under certain circumstances; altering certain fees; expanding the notice requirements for home improvement contracts; altering certain criminal penalties for certain individuals; authorizing the Commission to issue certain civil citations under certain circumstances; authorizing a certain hearing for civil citations; authorizing the Commission to establish certain violations and fines by regulation; creating a certain separate account within the Home Improvement Guaranty Fund for collection of certain money; specifying the disposition of the money collected as a civil citation; extending the date by which certain companies or firms providing mold remediation must be licensed by the Commission; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,



Article – Business Regulation

Section 8–303(a), 8–308(d), 8–312(a), 8–403, 8–501, 8–601(d), 8–620, 8–718, and 8–802

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 8–707(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(29) and (39)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Chapter 537 of the Acts of the General Assembly of 2008

Section 3

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

### **House Bill 363 – Delegates Simmons, Dumais, Kramer, and Lee**

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 2010 Supplement)

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

### **House Bill 364 – Delegate Walker**

AN ACT concerning

#### **Student Participation in High School Sports – Academic Requirements**

FOR the purpose of requiring the State Board of Education to adopt regulations to establish certain academic performance standards that students in public high schools in the State must meet in order to participate in certain high school athletic competitions; requiring the regulations to include certain provisions; requiring county boards of education to allow certain students to participate in certain high school athletic competitions only in accordance with the regulations of the State Board; and generally relating to academic requirements for student participation in high school sports.

BY adding to

Article – Education  
Section 7–205.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 365 – Delegates Zucker, Kaiser, Luedtke, Arora, Barkley, Barve, Carr, Cullison, Feldman, Gilchrist, Gutierrez, Hixson, Kramer, A. Miller, and S. Robinson**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Olney Theatre 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 Olney Theatre Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 366 – Delegate Niemann**

AN ACT concerning

**Real Property – Residential Property Foreclosure Procedures – Notice of Intent to Foreclose**

FOR the purpose of requiring that a certain notice of intent to foreclose be signed by an agent of the secured party; requiring that the agent make a certain affirmation under penalties of perjury; and generally relating to foreclosure of a mortgage or deed of trust on residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 367 – Delegates Niemann, Holmes, and Gilchrist**

AN ACT concerning

**Real Property – Maryland Contract Lien Act – Foreclosures**

FOR the purpose of providing that a lien under the Maryland Contract Lien Act may be enforced and foreclosed by the party who obtained the lien in the same manner, and subject to the same requirements, as the foreclosure of certain mortgages or deeds of trust on nonresidential property in this State; and generally relating to foreclosures under the Maryland Contract Lien Act.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 368 – Delegate Kipke**

AN ACT concerning

**State Government – General Assembly – Posting of a Bill on the Web Site**

FOR the purpose of requiring the third reading of a bill to be posted on the General Assembly Web site for a certain period of time under certain circumstances; and generally relating to the posting of a bill on the General Assembly Web site.

BY renumbering

Article – State Government  
Section 2–1506  
to be Section 2–1506.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 2–1506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 369 – Delegate F. Turner**

AN ACT concerning

#### **Horse Racing – Maryland–Bred Race Fund – Administration**

FOR the purpose of authorizing the Maryland Racing Commission to allocate a portion of the Maryland–Bred Race Fund to breeder bonuses for horses conceived, but not necessarily foaled, in the State; altering the amount of the Fund the Commission may allocate for certain horse races; requiring the Commission to set the amount of certain breeder awards for races in the State and outside the State; making a technical change; and generally relating to horse racing and the Maryland–Bred Race Fund.

BY repealing and reenacting, without amendments,

Article – Business Regulation  
Section 11–529  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 11–535(d) and 11–539(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 370 – Delegate Clagett**

AN ACT concerning

**Stormwater Management – Watershed Management Plans – Technical Assistance**

FOR the purpose of requiring the Department of the Environment, with assistance from the Department of Natural Resources, to provide certain technical assistance to a local government in developing a certain watershed management plan for certain stormwater management purposes; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–203  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 371 – Delegate Clagett**

AN ACT concerning

**Department of the Environment – Stormwater Management Ordinance – Cost Study**

FOR the purpose of requiring the Department of the Environment to study the cost to fully implement a certain stormwater management ordinance, including certain costs to local governments; requiring the Department to report certain findings to the General Assembly on or before a certain date; and generally relating to stormwater management.

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

**House Bill 372 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Board of Education – Alien Students**

FOR the purpose of requiring the Frederick County Board of Education, on or before a certain date of each school year, to make a good faith effort to provide the Board of County Commissioners for Frederick County with the total number of

students in the Frederick County public school system whose presence in the United States cannot be reasonably documented; prohibiting the Board of Education from associating a student's race, appearance, language, or name with citizenship or immigration status; and generally relating to students in the Frederick County public school system.

BY adding to

Article – Education

Section 3–5B–06

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 373 – Delegates Clagett, Barkley, Beidle, Bobo, Conway, Elliott, Frick, Kipke, Minnick, Reznik, and B. Robinson**

AN ACT concerning

**Vehicle Laws – Wireless Communication Devices – Enforcement of Prohibitions on Use While Driving**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; and generally relating to the enforcement of prohibitions against the use of a wireless communication device while operating a motor vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1124 and 21–1124.2

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 374 – Delegate Kipke**

AN ACT concerning

**Maryland Green Purchasing Committee – Recycling Study – Polystyrene Foam**

FOR the purpose of requiring the Maryland Green Purchasing Committee to study the cost and feasibility of recycling polystyrene foam products at State-owned facilities, including a certain cost comparison; requiring the Committee, on or before a certain date, to report its findings and recommendations to the Senate

Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee; and generally relating to recycling at State-owned facilities.

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

**House Bill 375 – Delegates Cardin, Beidle, Bobo, Bromwell, Feldman, Frick, James, Lafferty, Luedtke, Murphy, Reznik, B. Robinson, and S. Robinson**

### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Circuit Court Judges – Election, Qualifications, and Term of Office**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; altering certain qualifications for appointment of circuit court judges; providing for a transitional period during which the terms of certain amendments are effective; repealing certain obsolete provisions; making stylistic changes; generally relating to the selection, election, appointment, qualification, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 2, 3, 5A, 11, and 21(a)

BY proposing a repeal of the Maryland Constitution  
Article IV – Judiciary Department  
Section 5; 18B and the part “Part IIA – Interim Provisions”; and 21A

BY proposing an addition to the Maryland Constitution  
Article XVIII – Provisions of Limited Duration  
Section 6

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

**House Bill 376 – Allegany County Delegation**

AN ACT concerning

**Allegany County – Alcoholic Beverages – Eligibility for Class B–BT (Buffet Theater) License**

FOR the purpose of altering in Allegany County the types of entertainment that an establishment may provide to its customers to be eligible for a Class B–BT (Buffet Theater) beer, light wine and liquor license to include live acoustic–style music and feature films; and generally relating to eligibility for a Class B–BT (Buffet Theater) beer, light wine and liquor license in Allegany County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(b)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 377 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Mental Hygiene Administration Facilities – Repeal of Provisions that Relate to Closed Facilities**

FOR the purpose of repealing certain provisions of law that relate to certain Mental Hygiene Administration facilities that have been closed; making stylistic changes; and generally relating to Mental Hygiene Administration facilities that have been closed.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–406(a) and (c), 10–406.1, and 10–411  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 10–406(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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



**House Bill 378 – Delegates Nathan–Pulliam, Braveboy, Burns, Costa, Hubbard, A. Kelly, Kipke, Oaks, Pena–Melnyk, B. Robinson, and V. Turner**

AN ACT concerning

**State Board of Nursing – Medication Technician Graduates**

FOR the purpose of extending the time period during which a medication technician graduate may practice without certification from the State Board of Nursing; and generally relating to the State Board of Nursing and medication technician graduates.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–6A–07  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 379 – Delegate Niemann**

AN ACT concerning

**Real Property – Deposits on New Homes – Escrow Accounts**

FOR the purpose of clarifying the circumstances under which a vendor or builder of a new single–family residential unit is required to deposit certain money in a certain escrow account or obtain and maintain a certain surety bond or irrevocable letter of credit; clarifying the circumstances under which the vendor’s or builder’s obligation to maintain an escrow account, surety bond, or letter of credit terminates; authorizing the vendor or builder to make withdrawals from an escrow account under certain circumstances; establishing that any sum of money received by a vendor or builder in connection with the sale and purchase of a new single–family residential unit shall be held in trust for the benefit of the purchaser; establishing that certain payments shall be consistent with the trust; and generally relating to deposits on new homes.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–301 and 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 380 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, Krebs, McComas, McMillan, Ready, and Stocksedale**

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  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 381 – Delegates Impallaria, Dwyer, Frank, McComas, and Wood**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**State Government – Furloughs and Temporary Salary Reductions**

FOR the purpose of proposing an amendment to the Maryland Constitution that authorizes the General Assembly, for any fiscal year, to supersede a formal resolution of the General Assembly Compensation Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission, and reduces the compensation and allowances for a member of the General Assembly; prohibiting a joint resolution passed by the General Assembly that supersedes a resolution of the Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission from increasing an item or provision that establishes certain compensation and allowances; authorizing the General Assembly to alter the salaries of members of the General Assembly at certain times; requiring the Governor to convene the General Assembly in extraordinary session under certain circumstances; requiring the General Assembly to reduce certain appropriations by a certain amount in a certain manner during certain extraordinary sessions; requiring the General Assembly to reduce the compensation of the members of the General Assembly under certain circumstances during certain extraordinary sessions; providing that the compensation for a member of the General Assembly reverts to a certain status at the end of a certain period; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 15, 35, and 52

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

**House Bill 382 – Delegates Smigiel, Afzali, Anderson, Bates, Burns, Carter, Cluster, Dwyer, Eckardt, George, Glass, Kach, K. Kelly, Kramer, Krebs, McComas, McDermott, W. Miller, Schuh, Serafini, and Waldstreicher**

AN ACT concerning

**Correctional Services – Diminution Credits – Use of a Firearm in Commission of a Crime**

FOR the purpose of prohibiting the earning 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 who is serving a sentence for a crime committed under circumstances in which the inmate used a firearm in the commission of the crime; creating a certain exception; defining a certain term; providing for the application of this Act; and generally relating to the earning of diminution credits.

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 3–702 and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 383 – Delegates Smigiel, Anderson, Bates, Glass, McComas,  
McDermott, W. Miller, Norman, Parrott, and Schulz**

AN ACT concerning

**Maryland Stadium Authority – Bonding, Financing, and Revenue Limitations  
– Camden Yards Stadiums**

FOR the purpose of clarifying and placing certain limitations on the borrowing authority of the Maryland Stadium Authority; altering provisions relating to the money to be deposited in the Camden Yards Fund for certain purposes; altering certain provisions relating to the distribution by the Comptroller of certain lottery revenues into the Maryland Stadium Facilities Fund; requiring the Comptroller to pay certain sports lottery revenues into the State General Fund; requiring the State Lottery Agency to conduct certain sports lotteries for the benefit of the State General Fund instead of for the benefit of the Maryland Stadium Authority; and generally relating to bonding, financing, and revenue limitations for the Camden Yards Stadiums.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–614, 10–628(b), and 10–652  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 10–621(b), 10–628(a), and 10–629  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–120 and 9–120.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 384 – Delegates Smigiel, McDermott, Alston, Bates, Cluster, Dwyer, Elliott, Hershey, Hogan, Jacobs, McComas, W. Miller, Norman, and Parrott**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Gaming – Video Lottery Terminals – Repeal of Constitutional Amendment – Changes to Statutory Provisions**

FOR the purpose of repealing Article XIX – Video Lottery Terminals of the Maryland Constitution; specifying in statutory law that the primary purpose of the operation of video lottery terminals is to raise revenue for certain public educational goals; requiring in statutory law that a video lottery facility comply with all applicable planning and zoning laws of the local jurisdiction; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to video lottery terminals.

BY proposing a repeal of the Maryland Constitution  
Article XIX – Video Lottery Terminals  
Section 1 and the article designation “Article XIX – Video Lottery Terminals”

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–02 and 9–1A–11  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–03, 9–1A–05(a), and 9–1A–36(g) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 385 – Delegates Impallaria, Aumann, Dwyer, Frank, McComas, McDermott, W. Miller, Schuh, and Stocksdale**

AN ACT concerning

**Election Law – Voting by Felons at Polling Places – Prohibition**

FOR the purpose of requiring an applicant for voter registration to specify whether the applicant is a felon; requiring that certain information concerning voting by felons be provided to an applicant for voter registration; requiring an individual

who is a felon to vote only by absentee ballot; prohibiting a felon from voting at a polling place; limiting a provision of law allowing certain registered criminal offenders to enter onto school property for the purpose of voting only to registered offenders who are not felons; and generally relating to prohibiting felons from voting at polling places.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–202  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 9–304.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 9–312  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–704(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–722  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 386 – Delegates Carter, Anderson, Carr, Dumais, Ivey, Love, McComas, Oaks, Pena–Melnyk, Simmons, Stukes, F. Turner, and Walker**

AN ACT concerning

**Education – Tween/Teen Dating Violence  
(Kristin Marie Mitchell Law)**

FOR the purpose of requiring the State Board of Education to adopt in the public schools a program to educate students about dating violence on or before a certain date; 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 to proclaim the first week in February each year “Tween/Teen Dating Violence Education and Awareness Week”; and generally relating to dating violence.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 7–411.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 7–411.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–513  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 13–601 to be under the new subtitle “Subtitle 6. Commemorative Weeks”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 387 – Delegates Nathan–Pulliam, Burns, Hubbard, A. Kelly, Oaks, Pena–Melnyk, B. Robinson, and V. Turner**

AN ACT concerning

**Residential Child and Youth Care Practitioners – Definition**

FOR the purpose of altering the definition of “residential child and youth care practitioner” as it relates to the certification of certain residential child care

program professionals so as to exclude individuals performing certain duties in certain private therapeutic group homes; defining a certain term; and generally relating to residential child and youth care practitioners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 388 – Delegates Anderson, Carter, and Glenn**

AN ACT concerning

#### **Courts – Service of Process – Motor Vehicle Administration as Agent for Driver**

FOR the purpose of expanding provisions of law designating the Motor Vehicle Administration as agent with respect to service of process in an action related to a motor vehicle accident or collision to include certain resident drivers under certain circumstances; requiring the Administration to serve as an agent for service of process under certain circumstances, take certain actions, and report certain information annually to the General Assembly; defining a certain term; providing for the application of this Act; and generally relating to service of process on certain drivers under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–313  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–104(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 389 – Delegate Niemann**

AN ACT concerning



**Recycling – Bars and Restaurants – Beverage Containers**

FOR the purpose of requiring a certain distributor, on or before a certain date, to establish or participate in a certain program, approved by the Department of the Environment, for the collection and recycling of certain beverage containers; requiring a certain owner or manager of a certain bar or restaurant to separate, store, and arrange for the collection and recycling of certain beverage containers under certain circumstances; authorizing the Department to grant a waiver from certain requirements; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to recycling requirements for distributors and bars and restaurants.

BY adding to

Article – Environment

Section 9–1711

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 390 – Delegates McDonough, Dwyer, Impallaria, Kipke, and Krebs**

AN ACT concerning

**Higher Education – Senatorial and Delegate Scholarships – Eligibility Requirements**

FOR the purpose of requiring an applicant for a senatorial or delegate scholarship to affirm through documentation that the applicant is a citizen or a legal permanent resident of the United States to qualify for a certain award; requiring a certain recipient of a senatorial scholarship to continue to be a citizen or legal permanent resident of the United States to hold the award for a certain number of years; requiring that an applicant for a delegate scholarship be a resident of the State; and generally relating to eligibility requirements for senatorial and delegate scholarships.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–402, 18–406, and 18–502

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 391 – Delegate Feldman and the Speaker (By Request – Administration) and Delegates Arora, Barkley, Barve, Cane, Carr, Conaway, Cullison, DeBoy, Dumais, Frick, Frush, Gilchrist, Gutierrez,**

**Healey, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Kramer, Lafferty, Lee, Luedtke, McMillan, A. Miller, Mizeur, Pendergrass, Reznik, B. Robinson, S. Robinson, Simmons, Summers, F. Turner, V. Turner, Waldstreicher, Washington, and Zucker**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Electricity Service Quality and Reliability Act**

FOR the purpose of requiring the Public Service Commission to adopt certain regulations on or before a certain date that implement certain service quality and reliability standards relating to the delivery of electricity to retail customers by electric companies; requiring certain regulations to include certain service quality and reliability standards, include a separate reliability standard for each electric company, and require the use of nationally recognized standards for certain purposes; requiring the Commission, on or before a certain date, and each year thereafter, to determine whether certain electric companies have met certain service quality and reliability standards; requiring the Commission to take certain appropriate enforcement action against an electric company if the electric company fails to meet certain service quality and reliability standards; requiring that certain civil penalties be credited to a certain electric company's residential ratepayers in a manner determined by the Commission; prohibiting an electric company from recovering the cost of a certain civil penalty from ratepayers; requiring each electric company to submit to the Commission a certain annual performance report; setting forth required contents of the annual performance report; declaring a certain goal of the State; providing that certain regulations may not apply to small rural electric cooperatives or municipal electric companies; defining certain terms; making this Act an emergency measure; and generally relating to electricity reliability standards.

BY adding to

Article – Public Utilities  
Section 7–213  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 392 – Delegates Feldman, Barkley, and W. Miller**

AN ACT concerning

**Labor and Employment – Workers' Compensation – Venue for Appeal**

FOR the purpose of altering the venue available to certain individuals and employers appealing a certain decision of the Workers' Compensation Commission; clarifying certain language; and generally relating to the venue for appeal available in workers' compensation cases.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–738  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 393 – Delegates Otto and McDermott**

EMERGENCY BILL

AN ACT concerning

**Somerset County – Smith Island Solid Waste District – Remove Limitation on Fee**

FOR the purpose of repealing certain limitations on the amount of the solid waste disposal fee imposed on certain property in the Smith Island Solid Waste District in Somerset County; making this Act an emergency measure; and generally relating to the solid waste removal fee imposed in the Smith Island Solid Waste District in Somerset County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Somerset County  
Section 8–201  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

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

**House Bill 394 – Delegates Gilchrist, Barve, and Simmons**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Rockville Swim and Fitness Center – Renovation of Locker Room Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the 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; 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 Beidle, Holmes, Lafferty, Love, and Niemann**

AN ACT concerning

**Homeowners Associations – Enforcement Powers**

FOR the purpose of authorizing the board of directors or other governing body of a homeowners association to impose a fee for the late payment of certain charges or assessments, levy reasonable fines for a violation of the declaration, recorded covenants and restrictions, bylaws, or rules of the homeowners association after notice and an opportunity to be heard, enforce the provisions of certain laws and the declaration, recorded covenants and restrictions, bylaws, and rules of the homeowners association, exercise the powers set forth in certain laws and the declaration, recorded covenants and restrictions, bylaws, and rules of the homeowners association, and do every other act not inconsistent with law that may be appropriate to promote and attain the purposes set forth in certain laws and the declaration, recorded covenants and restrictions, bylaws, and rules of the homeowners association; and generally relating to the enforcement powers of the board of directors or other governing body of a homeowners association.

BY adding to

Article – Real Property

Section 11B–114.1

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 396 – Delegates Beidle, Frush, Gilchrist, Glenn, Holmes, Lafferty, Love, Malone, McIntosh, Niemann, Stein, and Weir**

AN ACT concerning

**Natural Resources – Administrative Procedures – Electronic Citations, Inspections, and Hearings**

FOR the purpose of altering the acknowledgment procedures for citations issued by certain police officers for certain natural resources violations; repealing a certain hearing requirement that must be met before the Department of Natural Resources may suspend a recreational or commercial fishing license and requiring the Department to provide certain notice to certain persons of the

right to a hearing; requiring the Department to hold a hearing under certain circumstances within a certain time frame in accordance with certain procedures before suspending a recreational or commercial fishing license; authorizing the Department to suspend a recreational or commercial fishing license without a hearing under certain circumstances; altering who may perform administrative inspections of commercial fishing operations; altering the authorized scope of administrative inspections of commercial fishing operations; authorizing the seizure and forfeiture by the Department of certain property under certain circumstances; making certain stylistic changes; and generally relating to administrative procedures for natural resources violations.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 1–205, 4–220, and 4–701(l) and (m)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–701(a) and (b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2003  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 397 – Delegates Otto and McDermott**

AN ACT concerning

**Somerset County – Property Tax Credit for Assessment Increases – Extension**

FOR the purpose of extending a certain termination provision and altering certain dates of applicability for a local property tax credit for certain real property in Somerset County; and generally relating to a local property tax credit in Somerset County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–321(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 280 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 398 – Baltimore County Delegation**

AN ACT concerning

#### **Task Force on the Method of Selecting the Baltimore County Board of Education**

FOR the purpose of establishing the Task Force on the Method of Selecting the Baltimore County Board of Education; providing for the chairs and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation but entitling members to reimbursement for certain expenses; requiring the Task Force to make certain recommendations regarding the method of selecting the Baltimore County Board of Education; requiring the Task Force to hold a certain number of public meetings that allow certain persons to testify about certain issues; requiring the Task Force to make a certain report to certain persons on before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the Method of Selecting the Baltimore County Board of Education.

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

### **House Bill 399 – Delegate McConkey**

AN ACT concerning

#### **Anne Arundel County Board of Education – Appointed Members Subject to Contested Elections**

FOR the purpose of requiring that the appointed members of the Anne Arundel County Board of Education be subject to contested elections; repealing certain provisions relating to a retention election for certain appointed members of the county board; providing for a nonpartisan election for the county board under certain circumstances; providing that certain candidates for election to the county board be nominated and that the elections be conducted in a certain manner; establishing rules regarding the inclusion of a candidate's name on the ballot and the counting of votes in the event a candidate dies, declines the nomination, or becomes disqualified; requiring the Governor to appoint a certain individual to fill a vacancy on the county board under certain circumstances; and generally relating to contested elections for certain appointed members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108, 3–110, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 to be under the new subtitle “Subtitle 2A. Anne Arundel  
County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 400 – Delegate McDonough**

AN ACT concerning

**Higher Education – Eligibility for Student Financial Assistance –  
Requirement of Lawful Presence**

FOR the purpose of requiring that a certain recipient of student financial assistance be a citizen or legal permanent resident of the United States and provide proof of lawful presence in the United States; requiring the Office of Student Financial Assistance to compile a list of certain documents; and generally relating to eligibility for student financial assistance.

BY adding to  
Article – Education  
Section 18–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 401 – Delegates McDonough, Dwyer, Impallaria, Kipke, Krebs, and  
O’Donnell**

AN ACT concerning

**Public Institutions of Higher Education – Tuition – Undocumented Aliens**

FOR the purpose of prohibiting public institutions of higher education from classifying certain individuals as residents of the State eligible for in-State tuition unless the individuals provide documentation that certifies them as being lawfully

present in the United States; requiring each public institution of higher education to use a certain federal program to verify that certain individuals are lawfully present in the United States; requiring the governing board of each public institution of higher education to adopt certain policies; defining a certain term; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–101(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 15–106.8  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### JOINT SESSION

Delegates Ivey and Haddaway–Ricchio escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

### QUORUM CALL

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

(See Senate Roll Call No. 78A)

Speaker Busch called for the House roll.

### QUORUM CALL

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

(See Roll Call No. 36)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.



Senators McFadden, Currie and Pipkin and Delegates Waldstreicher, Valderrama and Costa escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Garagiola, Pugh and Jacobs and Delegates F. Turner, Frush and Myers 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

STATE OF THE STATE ADDRESS  
REMARKS OF GOVERNOR MARTIN O'MALLEY

(See Exhibit F of Appendix II)

Senators Garagiola, Pugh and Jacobs and Delegates F. Turner, Frush and Myers escorted the Chief Executive from the Chamber.

Senators McFadden, Currie and Pipkin and Delegates Waldstreicher, Valderrama and Costa escorted the Lieutenant Governor from the Chamber.

Senator Stone moved the Senate be adjourned.

The motion was adopted.

Delegate Barve moved the Chief Executive's remarks be journalized.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 37)

### ADJOURNMENT

At 12:58 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 4, 2011.

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**Annapolis, Maryland  
Friday, February 4, 2011**

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The House met at 11:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Talmadge Branch of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 38)

The Journal of February 3, 2011 was read and approved.

**EXCUSES:**

Del. Boteler – illness  
Del. Davis – death in family  
Del. Glenn – personal  
Del. Harrison – illness  
Del. Hubbard – illness  
Del. Mizeur – business  
Del. Myers – personal – doctor’s appointment  
Del. Proctor – funeral  
Del. Simmons – mother-in-law’s death  
Del. Vallario – personal

**INTRODUCTION OF BILLS**

**House Bill 402 – Delegates Simmons and Kramer**

AN ACT concerning

**Family Law – Grounds for Absolute Divorce – Time Requirements**

FOR the purpose of altering certain grounds for absolute divorce by reducing the amount of time required for the parties to have lived separate and apart without cohabitation; and generally relating to grounds for absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–103(a)

Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 403 – Delegates Simmons and Kramer**

AN ACT concerning

**Family Law – Grounds for Divorce**

FOR the purpose of providing that for purposes of granting a limited or absolute divorce, parties shall be considered to be living separate and apart without cohabitation even if the parties share a residence and living expenses as long as the parties maintain separate bedrooms; and generally relating to the grounds for a limited or absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–102 and 7–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 404 – Washington County Delegation**

AN ACT concerning

**Washington County – Alcoholic Beverages – Micro–Breweries**

FOR the purpose of adding Washington County to the list of counties in which a Class 7 micro–brewery license may be issued; authorizing the Comptroller to issue the license in the county to holders of certain retail alcoholic beverages licenses; adding the county to the list of counties in which a Class 7 micro–brewery licensee may sell at retail beer for consumption off the premises under certain circumstances; providing for the hours and days for consumer sales under the license; and generally relating to alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(a), (c), and (e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 2–208(b), (d), and (f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 405 – Washington County Delegation**

AN ACT concerning

**Washington County – Alcoholic Beverages – Criminal History Records**

FOR the purpose of requiring the Board of License Commissioners of Washington County to obtain certain criminal records of an applicant for a new alcoholic beverages license or for a transfer of an existing license; requiring the board to establish a fee to cover certain costs of obtaining an applicant's criminal records; providing that criminal records obtained under this Act are confidential, may be used only for licensing purposes, shall be kept in sealed envelopes and made available only to certain persons, and shall be destroyed on completion of their use; providing that the failure of the Federal Bureau of Investigation to provide requested criminal records by a certain date may not delay an applicant's scheduled hearing or the issuance of a license; authorizing an applicant to contest the contents of a certain written statement; requiring the board to adopt regulations to implement this Act and preserve the confidentiality of information obtained under this Act; defining certain terms; and generally relating to alcoholic beverages licenses in Washington County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 10–103(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 406 – Washington County Delegation**

AN ACT concerning

**Washington County – Water and Sewer Debt Reduction Fund – Repeal**

FOR the purpose of repealing certain provisions of law relating to the Washington County Water and Sewer Debt Reduction Fund; requiring the County Commissioners of Washington County to ensure service of the debt for the Washington County pretreatment facility from the Washington County general fund and revenues generated by the pretreatment facility; prohibiting the County Commissioners from using the costs of debt service for the Washington

County pretreatment facility as a factor in the establishment or adjustment of water and sewer rates in the County; and generally relating to the Washington County Water and Sewer Debt Reduction Fund and the debt service for the Washington County pretreatment facility.

BY repealing

The Public Local Laws of Washington County  
Section 6–505  
Article 22 – Public Local Laws of Maryland  
(2007 Edition and October 2010 Supplement, as amended)

BY adding to

The Public Local Laws of Washington County  
Section 6–505  
Article 22 – Public Local Laws of Maryland  
(2007 Edition and October 2010 Supplement, as amended)

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

**House Bill 407 – Delegates McComas, Aumann, Carter, DeBoy, Dumais, Frank, Frush, Haddaway–Ricchio, K. Kelly, Lee, McDonough, B. Robinson, Simmons, 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 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 4–501(a) and (l)  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Family Law

Section 4–501(m) and (q), 4–504.1(c)(9), 4–505(a)(2)(ix), and 4–506(d)(13)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 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)(vii) and (viii), 4–506(d)(11) and (12), and 4–509(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 408 – Delegates McComas, Alston, Anderson, Aumann, Carter, Cluster, Conaway, DeBoy, Dumais, Dwyer, Frank, Haddaway–Riccio, K. Kelly, Lee, McConkey, Parrott, B. Robinson, Simmons, and Smigiel**

AN ACT concerning

**Criminal Law – Identity Fraud – Assumption of Identity of Fictitious Person**

FOR the purpose of clarifying that a person is prohibited from knowingly and willfully assuming the identity of a fictitious person to avoid identification, apprehension, or prosecution for a crime, or with fraudulent intent to get a benefit, credit, good, service, or any other thing of value or to avoid the payment of debt or other legal obligation; providing penalties for a violation of this Act; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–301(c)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 8–301(g)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**House Bill 409 – Delegate Bohanan**

AN ACT concerning

**Creation of a State Debt – Kent County – Camp Fairlee Manor**

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 Easter Seals Delaware & Maryland's Eastern Shore, 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 410 – Delegate Frush**

AN ACT concerning

**State Government – Oath of Office – Administration by Constitutional Officer**

FOR the purpose of authorizing any officer whose office is established in the Maryland Constitution to administer the oath of office to certain individuals elected or appointed to an office of trust or profit under the Constitution or laws of the State; requiring a constitutional officer who administers the oath of office to deliver a certain report to the Secretary of State within a certain period of time; making conforming changes; and generally relating to administration of the oath of office by a constitutional officer.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 16–101 through 16–104  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 16–105 and 16–108  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–104(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 411 – Delegate Beitzel**

AN ACT concerning

**Natural Gas Exploration and Production – Marcellus Shale Formation**

FOR the purpose of requiring, by a certain date, the Department of the Environment to submit regulations to the Joint Committee on Administrative, Executive, and Legislative Review regarding natural gas exploration and production in the Marcellus Shale formation including certain matters; and generally relating to the regulation of natural gas exploration and production in the State.

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

**House Bill 412 – Delegate Niemann**

AN ACT concerning

**Real Property – Residential Property Foreclosure Procedures – Lost Note Affidavit**

FOR the purpose of prohibiting a court, in an action to foreclose a mortgage or deed of trust on residential property, from accepting a certain affidavit in lieu of a copy of the debt instrument unless the affidavit contains certain information; and generally relating to residential property foreclosure procedures.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 7–105.1(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 7–105.1(d–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 413 – Washington County Delegation**

AN ACT concerning



**Washington County – Alcoholic Beverages – Wine Festival License**

FOR the purpose of establishing a special wine festival (WF) license in Washington 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 Washington 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 Washington County.

BY renumbering

Article 2B – Alcoholic Beverages

Section 8–313.1

to be Section 8–313.2

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–313.1

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 414 – Delegate Holmes**

AN ACT concerning

**Lottery for Schools Act of 2011**

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  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 9–120.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 415 – Delegate Holmes**

AN ACT concerning

#### **Environment – Severn River Watershed – Silt and Erosion Control – Certification**

FOR the purpose of authorizing professional land surveyors and licensed landscape architects to certify silt and erosion control plans in the Severn River Watershed; and generally relating to certification of silt and erosion control plans in the Severn River Watershed.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–308  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 416 – Delegates Lee, Alston, Barkley, Cane, Conway, Cullison, Dumais, Frick, Glenn, Gutierrez, Healey, Hixson, Ivey, Kaiser, A. Kelly, Luedtke, A. Miller, Mizeur, Pena–Melnyk, B. Robinson, S. Robinson, Valderrama, Valentino–Smith, and Wilson**

AN ACT concerning

#### **Family Law – Domestic Violence – Definition of Abuse**

FOR the purpose of altering the definition of “abuse” for purposes of certain provisions of law relating to domestic violence to include harassment, trespass, and

malicious destruction of property under certain provisions of law; and generally relating to domestic violence and the definition of “abuse”.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–501(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 417 – Delegates Jameson, Beitzel, Clagett, Davis, K. Kelly, and Love**

AN ACT concerning

**Workers’ Compensation – Death Benefits – Dependency**

FOR the purpose of altering the authority of the Workers’ Compensation Commission to make certain determinations of dependency; altering a provision of law that specifies that certain surviving spouses and individuals are not entitled to certain death benefits; altering the provisions relating to the calculation of death benefits for individuals who are wholly or partly dependent; requiring an employer or its insurer to pay certain death benefits to certain dependents for a certain period of time; specifying the calculation of certain death benefits; specifying the minimum amount of certain death benefits; specifying the minimum amount of time for the payment of certain death benefits; providing for an exception to the time limitation for certain dependents who are incapable of self–support under certain circumstances; providing for the termination of certain death benefits under certain circumstances; providing for an exception to the termination of certain death benefits for certain children under certain circumstances; providing for the amount of death benefits to certain dependents who are neither a dependent spouse nor a dependent child; providing for an annual adjustment in a certain manner of a certain death benefit; specifying that the Commission has continuing jurisdiction under certain circumstances; increasing the amount of certain funeral expenses that the employer or its insurer is required to pay; providing for the application of this Act; making stylistic changes; and generally relating to workers’ compensation death benefits for dependents of covered employees.

BY repealing and reenacting, without amendments,

Article – Labor and Employment  
Section 9–678  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–679, 9–680, 9–681, 9–683, and 9–689  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Labor and Employment  
Section 9–682  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Labor and Employment  
Section 9–682  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 418 – Delegates Dumais, Anderson, Arora, Aumann, Clagett, Clippinger, Davis, Dwyer, Frank, Frush, Gilchrist, Glenn, Guzzone, Haddaway–Riccio, Holmes, Hough, Hubbard, Hucker, Jameson, Kaiser, A. Kelly, Lafferty, Lee, Luedtke, Malone, McComas, McDermott, McIntosh, A. Miller, Mitchell, Mizeur, O’Donnell, Parrott, S. Robinson, Ross, Stocksdale, F. Turner, Valentino–Smith, Waldstreicher, Walker, and Zucker**

AN ACT concerning

**Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking**

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of the law prohibiting human trafficking; including in the prohibition against human trafficking a prohibition against subjecting a person to involuntary servitude, peonage, debt bondage, or slavery under certain circumstances; creating an Anti–Human Trafficking Fund to be administered by the Executive Director of the Governor’s Office of Crime Control and Prevention; specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; specifying certain

property subject to forfeiture; specifying certain conditions to exclude property from forfeiture; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; specifying certain standards and exceptions regarding the seizure of motor vehicles; requiring a certain law enforcement officer to recommend that a motor vehicle be forfeited under certain circumstances; requiring that a forfeiting authority surrender a motor vehicle on request to the owner under certain circumstances; specifying conditions under which an owner may obtain possession of seized property; specifying the time when seizure of real property occurs; authorizing an owner or owner's tenant to remain in possession of seized real property under certain circumstances; prohibiting an owner of real property from taking certain actions; specifying certain procedures for the conduct of forfeiture proceedings, including the filing of complaints and answers, posting and publishing of notice, and conducting hearings for real property and other property; specifying certain restrictions on forfeiture proceedings on property used as the principal family residence; specifying certain powers of a court in a certain forfeiture proceeding; requiring a court to issue a certain order after a full hearing under certain circumstances; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; requiring that certain proceeds of the sale of forfeited property be distributed to the Fund for a certain purpose; specifying the terms of sale of forfeited property; specifying the law governing the sale of certain collateral; requiring certain proceeds from the sale of certain property to be distributed in a certain manner; requiring lienholders to take certain actions before exercising the right to sell certain property and after the redemption of certain property; specifying the effect of this Act; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the human trafficking law.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 11–303

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–910(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–920; and 13–501 through 13–535 to be under the new subtitle

“Subtitle 5. Violations of the Human Trafficking Law”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 419 – Delegates Jameson, Barkley, Beitzel, DeBoy, George, Krebs, Love, McDonough, Murphy, Sophocleus, Wilson, and Wood**

AN ACT concerning

**Criminal Procedure – Reports to Crime Stoppers 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 Stoppers 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 Stoppers 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 and 2010 Supplement)

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

**House Bill 420 – Delegates Kaiser, Barkley, Cane, Carr, Gutierrez, Hucker, Luedtke, Pendergrass, Reznik, Stocksdale, F. Turner, and Zucker**

AN ACT concerning

**Recordation Tax – Indemnity Mortgages**

FOR the purpose of providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan for a certain amount is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; and generally relating to the treatment of certain indemnity mortgages under the recordation tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 12–105(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 421 – Delegates Otto and McDermott**

EMERGENCY BILL

AN ACT concerning

**Somerset County – Deputy State’s Attorney – Private Practice**

FOR the purpose of repealing a prohibition against the deputy State’s Attorney for Somerset County engaging in the private practice of law; making this Act an emergency measure; and generally relating to the deputy State’s Attorney in Somerset County.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 15–420  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 422 – Delegate Dumais**

AN ACT concerning

**Child Support – Adjusted Actual Income – Multi–Family Adjustment**

FOR the purpose of altering the definition of “adjusted actual income” under the child support guidelines; providing for the calculation of a certain allowance required to be deducted from adjusted actual income under the child support guidelines; requiring that the amount of a certain allowance be subtracted from a parent’s actual income before the court determines the amount of a child support award; repealing a factor the court may consider in determining whether the application of the child support guidelines would be unjust or inappropriate in a particular case; and generally relating to child support.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 12–201(a) and (b)  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–201(c), 12–202(a), and 12–204(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 423 – Delegate Dumais**

AN ACT concerning

#### **Child Support – Criminal Nonsupport and Desertion**

FOR the purpose of specifying that a parent who fails to provide for the support of his or her minor child is guilty of the misdemeanor of criminal nonsupport; repealing from the crime of criminal nonsupport the element of willfulness; establishing a certain defense to the crime of criminal nonsupport; specifying that a parent who deserts his or her minor child is guilty of the crime of criminal desertion of a child; and generally relating to criminal nonsupport and desertion.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–203  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 424 – Delegate Dumais**

AN ACT concerning

#### **Child Support – Age of Majority – Orders Issued Prior to 2002**

FOR the purpose of altering a certain provision of law to provide that a legislative change to the age of majority for a certain purpose applies retroactively to a child support order issued prior to a certain date; providing that this Act does not revive certain child support obligations; making a stylistic change; and generally relating to child support payments and the age of majority.

BY repealing and reenacting, with amendments,  
Article 1 – Rules of Interpretation  
Section 24(a)



Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 180 of the Acts of the General Assembly of 2002  
Section 2

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

**House Bill 425 – Delegates Love, Barnes, Costa, George, Kipke, Pena–Melnyk,  
and Sophocleus**

AN ACT concerning

**Environment – Use of Coal Combustion By–Products for Reclamation – Bond  
Requirements**

FOR the purpose of requiring the Department of the Environment to require a bond in a certain amount for a permit that authorizes the use of coal combustion by–products for reclamation; and generally relating to bond requirements for permits authorizing the use of coal combustion by–products for reclamation.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 15–823  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 426 – Delegates Love, Barkley, Beidle, Costa, George, Kipke,  
O’Donnell, and Sophocleus**

AN ACT concerning

**Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders**

FOR the purpose of excluding from the jurisdiction of juvenile court a child of at least a certain age alleged to have committed, as a member of a criminal gang, a certain act that would be a crime if committed by an adult; providing for the application of this Act; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–03(d)(4)(xvi) and (xvii)  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–8A–03(d)(4)(xviii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 9–802, 9–803, and 9–804  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

### **House Bill 427 – Delegate Dumais**

AN ACT concerning

#### **Family Law – Child Support Guidelines – Child Care Expenses**

FOR the purpose of requiring that certain expenses incurred on behalf of a child due to the training or education of either parent necessary to obtain a job or enhance earning potential of the parent be added to the basic child support obligation and divided by the parents in proportion to their adjusted actual incomes under the child support guidelines; prohibiting child care expenses due to the training or education of either parent from exceeding a reasonable length of time; and generally relating to child support obligations.

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 12–204(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 428 – Delegates Love, Barnes, Beidle, Costa, George, Kipke, Pena–Melnyk, and Sophocleus**

AN ACT concerning

#### **Environment – Coal Combustion By–Products – Permits**

FOR the purpose of requiring the Department of the Environment to hold an informational meeting with respect to certain permit applications involving the

disposal of coal combustion by-products; requiring a certain informational meeting to be conducted in a certain location; requiring the Department to hold a public hearing before the Secretary of the Environment issues certain permits that involve the disposal of coal combustion by-products; requiring the Department to mail written notice of a certain public hearing to certain local governments under certain circumstances; and generally relating to permits issued for the disposal of coal combustion by-products.

BY adding to

Article – Environment

Section 9–291

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 429 – Delegates Simmons and Kramer**

AN ACT concerning

#### **Video Lottery Terminal Revenues – School Construction and Pensions**

FOR the purpose of repealing provisions of law relating to the Purse Dedication Account; requiring a certain distribution of revenues from video lottery terminals to the Education Trust Fund instead of the Purse Dedication Account; requiring certain funds in the Education Trust Fund to be accounted for separately and to be used for certain purposes; and generally relating to the use of revenues from video lottery terminals.

BY repealing

Article – State Government

Section 9–1A–28

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–27(a) and 9–1A–30

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 430 – Delegates Frush, Barnes, and Pena–Melnyk**

AN ACT concerning

**Public Utility Companies – University of Maryland, College Park Bus Service  
– Motor Carrier Permit Exemption – Service Expansion and Removal of  
Sunset**

FOR the purpose of removing the sunset applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; altering certain provisions of law relating to the geographic area in which the University of Maryland, College Park may provide certain bus service and the persons eligible to use the bus service; and generally relating to bus service provided by the University of Maryland, College Park to its students and to the residents of certain municipal corporations.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 9–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Chapter 346 of the Acts of the General Assembly of 2008  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 346 of the Acts of the General Assembly of 2008  
Section 3

BY repealing and reenacting, without amendments,  
Chapter 347 of the Acts of the General Assembly of 2008  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 347 of the Acts of the General Assembly of 2008  
Section 3

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

**House Bill 431 – Delegates Love, Barnes, Beidle, Costa, George, Kipke,  
Pena–Melnyk, and Sophocleus**

AN ACT concerning

**Motor Carrier Companies – Local Public Transportation Systems –  
Exemption from Motor Carrier Permit Requirement**

FOR the purpose of providing that a motor carrier permit is not required for a local public transportation system established under a law enacted by the local governing body of a county or municipal corporation; repealing certain

exemptions for particular counties; and generally relating to motor carriers and motor carrier permits.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 9–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 432 – Delegates Frush, Barnes, and Pena–Melnyk**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Parks and Recreation  
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 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 Appropriations.

**House Bill 433 – Delegates Frush, Barnes, and Pena–Melnyk**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory Anderson  
Murphy Community Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, 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 Appropriations.

**House Bill 434 – Delegate Frush**

AN ACT concerning

**District Court – Small Claim Actions**

FOR the purpose of altering the minimum amount in controversy in civil cases over which the District Court of Maryland and the circuit courts have concurrent jurisdiction; altering the amount of a small claim action in the District Court; altering the minimum amount in controversy in civil cases in which appeals from the District Court are required to be heard on the record; providing for the application of this Act; and generally relating to small claim actions in the District Court.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–402(d)(1)(i), 4–405, and 12–401(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 435 – Delegate Bohanan**

AN ACT concerning

**Optional Retirement Program – Supplemental Retirement Plans – Employee Contributions**

FOR the purpose of altering the methods available to certain members of the Optional Retirement Program for making employee contributions to certain supplemental retirement accounts; and generally relating to methods for making employee contributions to supplemental retirement accounts available to members of the Optional Retirement Program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 30–401(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 436 – Delegate Clagett**

AN ACT concerning

**Election Law – Early Voting Centers**

FOR the purpose of establishing a certain minimum and maximum number of early voting centers required to be established in certain counties; and generally relating to the number of early voting centers in certain counties.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 437 – Delegate Niemann**

AN ACT concerning

#### **Real Property – Sales of New Homes – Minimum Visitability Features**

FOR the purpose of requiring a developer of new homes in a subdivision at the time of offering new homes in a subdivision for sale to make available for inspection a model home that contains minimum visitability features and to offer minimum visitability features as an option for purchase under certain circumstances; defining certain terms; providing for a delayed effective date; and generally relating to minimum visitability features in the sale of new homes.

BY adding to  
Article – Real Property  
Section 10–801 to be under the new subtitle “Subtitle 8. Miscellaneous Provisions”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 438 – Delegates Lee, Frick, and A. Kelly**

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 \$300,000, 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.

**House Bill 439 – Delegates Lee, Valderrama, Arora, Barkley, Barve, Conaway, Cullison, Feldman, Gilchrist, Gutierrez, Ivey, Jones, A. Kelly, Luedtke, Nathan–Pulliam, Reznik, B. Robinson, Waldstreicher, and Zucker**

AN ACT concerning

**State Government – Commemorative Days – Korean American Day**

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

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 440 – 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  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 441 – Delegates Niemann, Beidle, Cane, Glenn, and Lafferty**

AN ACT concerning

**Maryland Food and Nutrition Policy Council – Department of Agriculture**

FOR the purpose of creating the Maryland Food and Nutrition 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; authorizing the Council to establish certain subcommittees; requiring the Governor to appoint the chair and vice chair of the Council; 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 Council to report to the Governor, the Secretary of Agriculture, and the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Maryland Food and Nutrition Policy Council.

BY adding to  
Article – Agriculture  
Section 10–1801 through 10–1803 to be under the new subtitle “Subtitle 18.  
Maryland Food and Nutrition Policy Council”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 442 – Delegates Rosenberg, Feldman, and Frick**

AN ACT concerning

**Consumer Protection – Transparency in Consumer Arbitrations Act**

FOR the purpose of requiring certain arbitration organizations to collect, publish, and make available to the public certain information relating to certain binding arbitrations to which a consumer is a party; requiring the information to be reported beginning on a certain day and to be updated at certain intervals thereafter; requiring the information to be made available to the public in a certain manner; providing that the information may be considered in making a certain determination; providing that an arbitration organization is not liable for collecting, publishing, or distributing certain information; providing that failure to comply with certain provisions of this Act may not be the sole reason to refuse to enforce a certain award and may be considered as a factor in making a certain determination about a consumer arbitration agreement; authorizing a consumer or the Attorney General to seek an injunction to prohibit an arbitration organization from taking certain actions; providing that an arbitration organization is liable to a certain person for certain attorney's fees and costs under certain circumstances; defining certain terms; and generally relating to consumer arbitrations.

BY adding to

Article – Commercial Law

Section 14–3901 through 14–3905 to be under the new subtitle “Subtitle 39.  
Transparency in Consumer Arbitrations Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 443 – Delegates Harrison, Glenn, and Stukes**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Historic Diamond Press Building**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, 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; 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 444 – Delegate Nathan–Pulliam**

AN ACT concerning

**Health Insurance – Provider Panels – Notice of Receipt of Application**

FOR the purpose of requiring certain health insurance carriers that receive a complete application from a health care provider that seeks to participate on a provider panel of a carrier to notify the health care provider that the application is complete; requiring notice to be given to a health care provider at a certain address and within a certain period of time; clarifying certain language; and generally relating to participation of health care providers on provider panels of health insurance carriers.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–112(a)(1), (4), (9), and (10)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–112(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 445 – Delegates Harrison, Glenn, and Stukes**

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 \$100,000, 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; 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 446 – Delegates Nathan–Pulliam, Anderson, Cullison, A. Kelly, Murphy, Oaks, Reznik, F. Turner, and V. Turner**

AN ACT concerning

**Health Insurance – Coverage for Preventive Physical Therapy – Required**

FOR the purpose of requiring certain individual or group health insurance policies and contracts to include coverage for certain preventive physical therapy provided to an insured or enrollee who is diagnosed with multiple sclerosis; providing that the coverage provided by a certain policy or contract is subject to the same deductibles, coinsurance requirements, calendar year maximums, waiting periods, treatment limitations, and any other requirements or limitations that are imposed for certain other benefits under the policy or contract; applying certain provisions of this Act to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to requiring coverage for preventive physical therapy under health insurance policies and contracts.

BY adding to

Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Insurance  
Section 15–845  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 447 – Delegates George and Walker**

AN ACT concerning

#### **Election Law – Nonfederal Out-of-State Political Committee – Transfer Limits**

FOR the purpose of repealing the definition of “campaign finance entity” that included a nonfederal out-of-state political committee as a campaign finance entity for the purposes of certain provisions of law regarding campaign finance transfer limits; providing for a delayed effective date; and generally relating to limits on campaign finance transfers.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–227  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 448 – Delegates Ivey, Afzali, Anderson, Barnes, Barve, Conaway, Davis, Frick, Frush, Gilchrist, Glenn, Griffith, Guzzone, Hammen, Hucker, Kaiser, Luedtke, McHale, A. Miller, Mitchell, Murphy, Oaks, Proctor, B. Robinson, Stocksdale, Stukes, Summers, Tarrant, F. Turner, Valderrama, Vaughn, Walker, Washington, and Wilson**

AN ACT concerning

**Education – Residential Boarding Education Programs for At-Risk Youth – Funding**

FOR the purpose of requiring the Governor to appropriate certain funds to the State Department of Education to cover the transportation, boarding, and administrative costs of residential boarding education programs for at-risk youth; limiting the total amount of funds to an amount adequate to fund a certain maximum number of students; defining certain terms; and generally relating to funding for residential boarding education programs for at-risk youth.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–710  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 449 – Delegates Hough, Afzali, Eckardt, Glass, Hogan, McComas, McDermott, McDonough, Minnick, Myers, and B. Robinson**

AN ACT concerning

**State Government – Regulations Affecting Small Businesses and Economic Impact Analysis**

FOR the purpose of requiring, under certain circumstances, an Executive Branch agency or the Department of Legislative Services to include certain additional information in an economic impact analysis on small businesses of a proposed regulation; and generally relating to economic impact analyses of regulations affecting small businesses.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1505.2  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 450 – Delegates Hubbard and Hammen**

AN ACT concerning

**Maryland Community Health Resources Commission – Health Care Reform –  
Safety Net Providers**

FOR the purpose of authorizing the Maryland Community Health Resources Commission to provide certain assistance to safety net providers in preparing to implement certain health care reform; authorizing the Commission to examine certain issues and potential challenges for safety net providers in preparing to implement certain health care reform; requiring the Commission to develop a certain business plan for the provision by the State of certain assistance to safety net providers; requiring the Commission to make certain recommendations to the Governor and certain committees of the General Assembly on or before a certain date; altering a certain definition; defining certain terms; and generally relating to the Maryland Community Health Resources Commission and the implementation of health care reform by safety net providers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–2101 and 19–2107(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 451 – Delegates Hough, Elliott, Glass, Hogan, McComas,  
McDermott, McDonough, Minnick, and B. Robinson**

AN ACT concerning

**State Government – Council on Efficient Government**

FOR the purpose of establishing the Council on Efficient Government; stating the purpose of the Council; providing for the membership and terms of the Council; prohibiting certain members of the Council from receiving compensation for serving on the Council; authorizing certain members of the Council to receive reimbursement for certain expenses; requiring the Council to appoint a chair; authorizing the Council to act with an affirmative vote of a certain number of

members; requiring the Board of Public Works to provide certain staff support to the Council; requiring certain other agencies and units of State government to furnish assistance to the Council under certain circumstances; requiring the Council to review certain goods or services that are the subject of procurements between certain State and governmental entities to determine if a private sector enterprise can provide the State entity with certain cost savings or advantageous offers; requiring the Council to review certain exemptions and restrictions to determine if a private sector enterprise can provide the State with a cost savings or more advantageous offer; requiring the Council to develop certain guidelines and recommendations; authorizing the Council to hold certain hearings or solicit certain petitions of interest; requiring the Council to develop and update a certain inventory; authorizing the Council to appoint certain advisory groups; requiring the Council to make certain reports; defining certain terms; and generally relating to the Council on Efficient Government.

BY adding to

Article – State Finance and Procurement

Section 12–501 through 12–509 to be under the new subtitle “Subtitle 5. Council on Efficient Government”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 452 – Delegate Kipke**

AN ACT concerning

#### **Health Insurance – Coverage of Hearing Aids**

FOR the purpose of requiring an insurer, nonprofit health service plan, or health maintenance organization that provides coverage for hearing aids to an insured or enrolled individual who is not a minor child and that places a dollar limit on the hearing aid benefit to allow the individual to choose a hearing aid that is priced higher than the benefit payable under the policy or contract and pay the difference between the price of the hearing aid and the dollar limit on the benefit; altering the definition of “hearing aid” to remove a requirement that a hearing aid be nondisposable; and generally relating to coverage of hearing aids under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–838

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 453 – Delegates Jameson and Minnick**

AN ACT concerning

**Workers' Compensation – Jurisdiction Pending Appeal – Proposed Settlement**

FOR the purpose of expanding the circumstances under which the Workers' Compensation Commission retains jurisdiction pending an appeal of a Commission order to include a request for approval of a proposed settlement of all or part of a claim; and generally relating to the jurisdiction of the Commission pending an appeal of a workers' compensation order.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–742  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 454 – Delegates Lee, Afzali, Barkley, Burns, Conaway, DeBoy, Frick, Frush, Kach, Kipke, Luedtke, A. Miller, Pendergrass, B. Robinson, Rudolph, Sophocleus, and F. Turner**

AN ACT concerning

**Identity Fraud Crimes – Restitution**

FOR the purpose of expanding the circumstances under which a court is authorized to enter a judgment of restitution that orders a defendant or child respondent to make restitution to situations where the victim suffered certain losses or incurred certain expenses as a direct result of identity fraud; establishing that circumstances eligible for restitution include alteration of a victim's consumer report or the imposition of financial damage or loss on an identity fraud victim; authorizing a court to accept a certain affidavit as evidence of financial damage or loss that is eligible for restitution; expanding the circumstances under which certain State's Attorneys are required to help certain victims prepare a certain request for restitution and to advise certain victims regarding collection of restitution; establishing that if certain victims suffer identity fraud, certain State's Attorneys are required to consult with the Office of the Attorney General under certain circumstances for certain advice and assistance; authorizing the Office of the Attorney General to provide to identity fraud victims certain information and assistance on recovery from financial damage or loss and how



to make a restitution claim; requiring that certain assistance to identity fraud victims include establishing a certain monetary value for financial damage or loss; requiring the Office of the Attorney General to develop a certain affidavit form for victims of identity fraud; authorizing the Office of the Attorney General to adopt regulations; making conforming changes; defining certain terms; and generally relating to restitution.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–1201(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–601, 11–603, 11–614, and 11–615  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–614.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 4 – Delegates Love and Sophocleus

A House Joint Resolution concerning

#### **Targeted Interference with Wireless Communication Service Within Correctional Facilities**

FOR the purpose of urging the United States Congress to pass legislation allowing targeted interference with wireless communication service within correctional facilities; and generally relating to wireless communication service.

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 39)

### ADJOURNMENT

At 11:17 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 7, 2011 in memory of former Delegate John D. Jefferies.

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**Annapolis, Maryland**  
**Monday, February 7, 2011**

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The House met at 8:02 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sam Arora of Montgomery County.

**QUORUM CALL**

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

(See Roll Call No. 40)

The Journal of February 4, 2011 was read and approved.

**EXCUSES:**

Del. Burns – illness  
Del. Carter – personal  
Del. Davis – death in family  
Del. Harrison – illness  
Del. Simmons – mother-in-law's death  
Del. Sophocleus – illness  
Del. Vallario – personal

**INTRODUCTION OF BILLS**

**House Bill 455 – Delegates Lee, Alston, Anderson, Arora, Barnes, Barve, Beidle, Braveboy, Cane, Carr, Clippinger, Conaway, Cullison, Feldman, Frick, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kipke, Love, Luedtke, McDermott, A. Miller, Mizeur, Nathan-Pulliam, Pena-Melnyk, B. Robinson, S. Robinson, Tarrant, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vallario, Vaughn, and Washington**

AN ACT concerning

**Request to Place a Statue of Harriet Tubman in the National Statuary Hall  
Collection**

FOR the purpose of requesting that the Joint Committee on the Library of Congress approve the replacement of the statue of the Honorable John Hanson with a statue of Harriet Tubman in the National Statuary Hall Collection in the

United States Capitol; providing certain information to the Joint Committee on the Library of Congress in accordance with the Procedure for Replacement of Statues in the National Statuary Hall Collection; specifying that the Harriet Tubman Statue Commission will represent the State in selecting a sculptor; specifying that a coalition of interested individuals, nonprofit organizations, and other groups will supply the funds to be used for certain purposes related to the statue; requiring the Governor to appoint members of the Harriet Tubman Statue Commission; requiring the Governor to submit certain documents to the Architect of the Capitol; and generally relating to a request to place a statue of Harriet Tubman in the National Statuary Hall Collection.

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

**House Bill 456 – Delegates Morhaim, Busch, Branch, Hammen, Barve, McIntosh, Barkley, Barnes, Beidle, Bobo, Bohanan, Boteler, Burns, Cane, Cardin, Carr, Carter, Clagett, Conaway, Cullison, Davis, Feldman, Glenn, Griffith, Gutierrez, Guzzone, Haynes, Hixson, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, A. Kelly, Lee, Love, Luedtke, A. Miller, Mitchell, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sophocleus, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and Washington**

AN ACT concerning

### **Procurement – Minority Business Participation**

FOR the purpose of continuing until a certain date the provisions of the State Procurement Law relating to procurement from minority businesses; requiring a certain study and a final report on the study by a certain date; and generally relating to minority business participation in State procurement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 116 of the Acts of the General Assembly of 1995, as amended by  
Chapters 495 and 496 of the Acts of the General Assembly of 2000,  
Chapter 339 of the Acts of the General Assembly of 2001, and Chapter  
359 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 457 – Delegates Minnick, Olszewski, and Weir**

AN ACT concerning

**Homeowner’s Insurance – Coverage for Loss from Discharge of Water –  
Required Notice by Insurer**

FOR the purpose of requiring an insurer that sells or negotiates homeowner’s insurance in the State to provide to an applicant or insured, at a specified time, a certain notice that states whether the insurer’s standard homeowner’s insurance policy provides coverage for loss caused by or resulting from certain discharges of water; requiring the notice to include a certain statement if an insurer’s standard homeowner’s insurance policy does not provide coverage for certain loss; specifying the circumstances under which an insurer is deemed to be in compliance with certain notice requirements for applications or renewals made by telephone or using the Internet; providing for the application of this Act; and generally relating to notices of coverage under homeowner’s insurance policies.

BY adding to

Article – Insurance

Section 19–214

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 458 – Delegates Stukes, Boteler, Conaway, Glass, Gutierrez,  
Haynes, Howard, Ivey, Kaiser, A. Miller, Mitchell, B. Robinson, Tarrant,  
Walker, and Washington**

AN ACT concerning

**Criminal Justice Information System – Prohibited Dissemination**

FOR the purpose of prohibiting the dissemination of certain criminal history record information to a certain person if the information relates to a certain charge or conviction, with a certain exception; providing that a certain provision of this Act may not be abrogated by waiver or consent; defining a certain term; and generally relating to the Criminal Justice Information System.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 10–222 and 10–226

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Criminal Procedure

Section 10–230

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 459 – Delegates Busch and George**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis and Anne Arundel County Conference and Visitors Bureau 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 Annapolis and Anne Arundel County Conference and Visitors Bureau, 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 460 – Delegates Murphy, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hammen, Hubbard, Kach, Kipke, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Pendergrass, Ready, Reznik, Tarrant, and V. Turner**

AN ACT concerning

**Prescription Drug Repository Program – Disposal of Prescription Drugs and Medical Supplies**

FOR the purpose of altering the purpose of the Prescription Drug Repository Program to include disposal of certain prescription drugs and medical supplies; altering the definition of “repository” to include a licensed pharmacy approved by the State Board of Pharmacy to dispose of certain prescription drugs and medical supplies; altering a certain requirement relating to disposal of prescription drugs and medical supplies by a repository; authorizing a pharmacy to accept prescription drugs and medical supplies taken to the pharmacy for disposal only under certain circumstances; expanding certain exemptions from criminal

prosecution and liability to include disposal of medical supplies; altering certain requirements for Program regulations; authorizing the Board to take certain disciplinary action against a pharmacist or pharmacy that fails to dispense or dispose of prescription drugs or medical supplies in accordance with certain provisions of law; making a certain conforming change; and generally relating to the Prescription Drug Repository Program and disposal of prescription drugs and medical supplies.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–601, 15–602, 15–605(b), 15–607, and 15–608  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 15–605(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–313(b)(30) and (31) and 12–403(b)(19) and (20)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–313(b)(32) and 12–403(b)(21)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–403(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 461 – Allegany County Delegation**

AN ACT concerning

**Income Tax Credit – Teachers at State and Local Correctional Facilities for Adults and Juveniles**

FOR the purpose of altering a credit against the State income tax for certain tuition costs of certain teachers to include teachers at a State or local correctional facility for adults or juveniles; providing that a teacher at a State or local correctional facility who is reimbursed by the State or a county for the tuition may not claim the credit for the amount of tuition that is reimbursed; providing for the application of this Act; and generally relating to a State income tax credit for certain tuition paid by a teacher at a State or local correctional facility for adults or juveniles.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–717  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 462 – Delegate Hogan**

AN ACT concerning

#### **Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras**

FOR the purpose of authorizing a county board of education, in consultation with a certain local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording a motor vehicle committing a violation relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violation to a certain local law enforcement agency; requiring a recording made by a school bus monitoring camera to include certain images and information; providing that the driver of a motor vehicle recorded committing a certain violation is subject to a certain civil penalty; providing that a civil penalty under this Act may not exceed a certain amount; requiring the District Court to prescribe a certain uniform citation form and civil penalty; requiring a certain local law enforcement agency to mail a certain citation to the owner of a certain motor vehicle within a certain period of time; providing for the contents of a certain citation; authorizing a local law enforcement agency to mail a warning instead of a citation; authorizing a person receiving a certain citation to pay the civil penalty or elect to stand trial; providing that a certain certificate is admissible as evidence in a proceeding concerning a certain violation; providing that a certain adjudication of liability is based on a preponderance of evidence; establishing certain defenses, and requirements for proving the defenses, for a certain violation recorded by a school bus monitoring camera; requiring the District Court to provide certain evidence to a local law enforcement agency under certain circumstances; authorizing a local law enforcement agency to mail a certain notice within a



certain time period after receiving certain evidence; authorizing the Motor Vehicle Administration to refuse to register or reregister a motor vehicle or suspend the registration of a motor vehicle under certain circumstances; establishing that a violation for which a civil penalty may be imposed under this Act is not a moving violation for certain purposes, may be treated as a parking violation for certain purposes, and may not be considered for certain insurance purposes; requiring the Chief Judge of the District Court, in consultation with certain local law enforcement agencies, to adopt certain procedures; providing that a proceeding for a certain violation recorded by a school bus monitoring camera is under the exclusive original jurisdiction of the District Court; providing that a recorded image of a motor vehicle produced by a school bus monitoring camera is admissible in a certain proceeding under certain circumstances; defining certain terms; and generally relating to the use of school bus monitoring cameras to enforce offenses relating to overtaking and passing school vehicles.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(13) and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–706  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–706.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 463 – Delegates Elliott, Ross, Afzali, Arora, Aumann, Barve, Bates, Beidle, Beitzel, Boteler, Branch, Bromwell, Burns, Cardin, Cluster, Conaway, DeBoy, Donoghue, Eckardt, Fisher, Frank, Frick, Frush, George, Gilchrist, Glass, Glenn, Haddaway–Riccio, Haynes, Healey, Hogan, Holmes, Hough, Hubbard, Impallaria, Ivey, Jacobs, James, Jameson, Kach, Kaiser, K. Kelly, Kipke, Krebs, Love, McComas, McConkey, McDermott, McDonough, McMillan, A. Miller, W. Miller, Minnick, Mitchell, Morhaim, Murphy, Myers, O’Donnell, Olszewski, Parrott, Pena–Melnyk, Ready, B. Robinson, Schuh, Schulz, Serafini, Smigiel, Sophocleus, Stocksdales, Stukes, Szeliga, F. Turner, Valentino–Smith, Waldstreicher, Walker, and Wood**

AN ACT concerning

**Property Tax – Semiannual Payment Schedule – Business Property**

FOR the purpose of repealing a requirement that a small business may not have property taxes for the taxable year in excess of a certain amount to be eligible for a semiannual payment schedule for State, county, municipal corporation, and special taxing district property taxes; providing for the application of this Act; and generally relating to a semiannual property tax payment schedule for business property.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 10–204.3

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 464 – Delegates Clippinger and Hammen**

AN ACT concerning

**Creation of a State Debt – Baltimore City – National Aquarium Capital Infrastructure**

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 Aquarium in Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 465 – Delegates Ready, Afzali, Boteler, Cluster, Dwyer, Eckardt, Elliott, Frank, George, Glass, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McMillan, W. Miller, Myers, Norman, Parrott, Schuh, Schulz, Smigiel, Stocksdale, Szeliga, Vitale, and Wood**

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; providing for a delayed effective date; 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  
(2010 Replacement Volume)

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

### **House Bill 466 – Delegates Tarrant and Kipke**

AN ACT concerning

#### **Procurement – Service Contracts for Janitorial Services**

FOR the purpose of requiring the Board of Public Works, in consultation with the Department of General Services, to adopt regulations to require that a bidder or offeror responding to a solicitation for a service contract for janitorial services delineate its costs by certain categories; and generally relating to service contracts for janitorial services.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(t)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 13–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 467 – Delegates Barve, Gilchrist, and Simmons**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Water Park at Bohrer Park**

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 Mayor and City Council of the City of Gaithersburg for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 468 – Delegate Kach**

AN ACT concerning

**Health Insurance – Dental Provider Contracts – Prohibited Provision**

FOR the purpose of prohibiting certain health insurance carriers from including in a dental provider contract a provision that requires a dental provider to provide certain services at a fee set by the carrier; defining a certain term; providing for the application of this Act; and generally relating to dental provider contracts and health insurance carriers.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–112.2(a)(1), (3), (4), (9), and (10)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 15–112.2(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 469 – Delegate Kach**

AN ACT concerning

**Cemeteries – Perpetual Care and Preneed Burial Contracts Trust Accounts –  
Report Filing Deadline Extension**

FOR the purpose of authorizing the Director of the Office of Cemetery Oversight to grant to certain persons subject to certain trust requirements under certain provisions of law a certain extension of time in which to file certain reports relating to the perpetual care trust fund of a cemetery and the preneed burial contracts trust account of a seller of preneed goods and services; clarifying language; making a stylistic change; and generally relating to cemeteries and report filing deadlines for perpetual care and preneed burial contract trust accounts.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–606 and 5–710  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 470 – Delegates Hixson, Alston, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Cane, Carr, Carter, Conaway, Cullison, Dumais, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Harrison, Haynes, Healey, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, McIntosh, A. Miller, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnik, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, Washington, and Zucker**

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 15–106.8  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 471 – Delegate Dumais**

AN ACT concerning

**Orphans’ Court – Appeal of Final Judgment to Circuit Court**

FOR the purpose of requiring an appeal to a circuit court from a final judgment of an orphans’ court to be heard by the circuit court on the record made in the orphans’ court rather than to be heard de novo; providing for the application of this Act; and generally relating to an appeal to a circuit court from a final judgment of an orphans’ court.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–502  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 472 – Delegates Stein and Beidle**

AN ACT concerning

**Common Ownership Communities – Amendment to Declaration or Bylaws**

FOR the purpose of authorizing a condominium council of unit owners or board of directors to execute and record a corrective amendment to the declaration or bylaws to comply with the law under certain circumstances; requiring the council or board to record certain documents with the amendment; providing for the recordation and effectiveness of an amendment; authorizing the board of directors or other governing body of a homeowners association to execute and record a corrective amendment to the declaration or bylaws to comply with the law under certain circumstances; requiring the board or other governing body to record certain documents with the amendment; providing for the recordation and effectiveness of an amendment to the declaration; providing for the deposit in a certain depository and the effectiveness of an amendment to the bylaws; authorizing a cooperative housing corporation or board of directors to execute and record a corrective amendment to the bylaws to comply with the law under certain circumstances; requiring the corporation or board to record certain documents with the amendment; and generally relating to corrective

amendments to the declaration or bylaws of certain common ownership communities.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–103.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 11B–113.6  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 5–6B–18.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 473 – Delegates S. Robinson, Carr, Clippinger, Cullison, Hucker, Kaiser, A. Kelly, Lee, A. Miller, Niemann, and Reznik**

AN ACT concerning

**Environment – Landfills and Incinerators – Disposal of Waste**

FOR the purpose of prohibiting the disposal of certain electronic devices or certain ink or toner cartridges in landfills or incinerators; and generally relating to the disposal of waste in landfills and incinerators.

BY adding to  
Article – Environment  
Section 9–227.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 474 – Delegates James, Beidle, Bohanan, Bromwell, Clagett, Conway, DeBoy, Donoghue, Griffith, Lafferty, Malone, Minnick, Olszewski, Rudolph, Sophocleus, and Wood**

EMERGENCY BILL

AN ACT concerning

**Construction and Development Projects – Expedited Approval of State Permits**

FOR the purpose of requiring the Department of the Environment and the State Highway Administration to develop and implement processes to expedite the approval of State permits for construction and development projects that have received “fast track” or similar status from a county in the State or that will create a significant number of jobs and have a positive economic impact on the State; requiring the Department and the Administration to report to the General Assembly on or before a certain date; making this Act an emergency measure; and generally relating to State permits for construction and development projects in the State.

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

**House Bill 475 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Local Government Tort Claims Act – Industrial Development Authority**

FOR the purpose of altering the definition of “local government” under the Local Government Tort Claims Act to include the Industrial Development Authority of Carroll County; and generally relating to the inclusion of the Industrial Development Authority of Carroll County 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 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–301(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 476 – Carroll County Delegation**



AN ACT concerning

**Carroll County – Winery Special Event Permits – Farmers’ Markets**

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers’ markets in Carroll County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers’ markets in Carroll County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(9)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 477 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Commissioners – Term Limits and Vacancies**

FOR the purpose of stating that the term of office for a County Commissioner on the Board of County Commissioners for Carroll County is a certain number of years; establishing a certain restriction on the number of terms that a County Commissioner for Carroll County may be elected to serve in office; providing for the appointment to fill a vacancy on the Board of County Commissioners; and generally relating to the Board of County Commissioners for Carroll County.

BY adding to  
The Public Local Laws of Carroll County  
Section 3–101(f)  
Article 7 – Public Local Laws of Maryland  
(2004 Edition and July 1, 2010 Supplement, as amended)

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

**House Bill 478 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct an event that is a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of License Commissioners before conducting an event; requiring an organization that seeks a permit to meet certain requirements; specifying that an event may be managed and organized by certain organizations; requiring an individual who participates in or helps operate an event to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on certain events; specifying that a permit is not transferable; requiring that proceeds from an event be used for certain purposes and may not be used for other purposes; specifying that the operation of an event may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a gaming event under this Act to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the governing body of the county to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13-906  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 13-906.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 479 – Frederick County Delegation**

AN ACT concerning

**Frederick County – Winery Special Event Permits – Farmers' Markets**

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Frederick County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–101(u)(9)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 480 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities**

FOR the purpose of authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain housing units at independent living retirement communities; authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to provide, by law, for certain provisions necessary to carry out the tax credit; specifying that the full benefit of the tax credit be assigned to certain residents; providing for the application of this Act; defining a certain term; and generally relating to a property tax credit in Carroll County for certain housing units in certain independent living retirement communities.

BY adding to  
Article – Tax – Property  
Section 9–308(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 481 – Delegates Olszewski, Arora, Barnes, Bates, Bromwell, Elliott, Frick, Healey, Kach, Kaiser, Kipke, Reznik, Sophocleus, and Wood**

AN ACT concerning

**Campaign Finance – Contributions – Disclosure**

FOR the purpose of requiring a campaign finance entity to report certain information on its campaign finance reports for each contribution the entity receives; authorizing a campaign finance entity to report a maximum of a certain amount of contributions in an election cycle on its campaign finance reports without providing certain information about each contribution; providing for a delayed effective date; and generally relating to the disclosure of information concerning contributions in campaign finance reports.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–240 and 13–304  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 482 – Delegates Frick and Hucker**

AN ACT concerning

**Consumer Protection – Information on Payment Device Receipts –  
Limitations**

FOR the purpose of altering the number of digits of a payment device number that may be printed on certain receipts by a person that accepts a payment device number for the transaction of business; prohibiting a person that accepts a payment device number for the transaction of business from printing more than a certain number of digits of a payment device number or the expiration date of a payment device on a receipt that is provided to the holder of the payment device or retained by the person; establishing a certain penalty; altering a certain definition; making certain stylistic and clarifying changes; and generally relating to information printed on payment device receipts.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1318  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 483 – Delegates Norman, Cardin, Eckardt, James, Kipke, McComas, McConkey, Niemann, Otto, Rosenberg, Smigiel, Tarrant, and Waldstreicher**

AN ACT concerning

**Courts – Discovery – Examination in Aid of Enforcement of Money Judgment**

FOR the purpose of authorizing a judgment creditor to obtain discovery in aid of enforcement of a money judgment entered or recorded in a circuit court or in the District Court by use of a court ordered examination of certain persons under oath before a judge or examiner; establishing certain timing, notice, and procedural requirements for court ordered examinations in aid of enforcement of a money judgment; and generally relating to an examination in aid of enforcement of a money judgment entered or recorded in a circuit court or in the District Court.

BY adding to

Article – Courts and Judicial Proceedings

Section 11–404

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 484 – Delegate Stifler**

AN ACT concerning

**Criminal Procedure – Sex Offender Registry – Juveniles**

FOR the purpose of altering the term of registration on a certain sex offender registry for certain juvenile sex offenders; providing for a reduction in the term of registration for certain juvenile sex offenders under certain circumstances; requiring certain juvenile sex offenders to appear at a certain location at certain times to provide certain information and to allow the Department of Public Safety and Correctional Services to take a digital image of the juvenile sex offender; requiring the Department of Public Safety and Correctional Services in conjunction with the Department of Juvenile Services to adopt certain regulations; and generally relating to a juvenile sex offender registry.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–704.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 485 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Sheriff’s Office – Auxiliary Patrol Officers – Workers’  
Compensation Coverage**

FOR the purpose of removing Carroll County from a certain list of counties that exclude members of volunteer police departments from workers’ compensation coverage; specifying that each auxiliary patrol officer of the Carroll County Sheriff’s Office is a covered employee for purposes of eligibility for medical benefits under the Maryland Workers’ Compensation Act while performing work assigned by the Sheriff; and generally relating to auxiliary patrol officers in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–220(b) and 9–233  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 486 – Delegates Conway, Cane, and McDermott**

AN ACT concerning

**Education – School Buses – Inspections and Length of Operation**

FOR the purpose of authorizing certain school bus inspections to be valid in certain counties under certain circumstances; repealing the termination date for a provision of law that alters the length of time a school bus may be operated in Somerset County, Wicomico County, and Worcester County; and generally relating to school bus inspections and the length of operation of school buses in certain counties.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Chapter 420 of the Acts of the General Assembly of 2003, as amended by  
Chapter 576 of the Acts of the General Assembly of 2006  
Section 2

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

**House Bill 487 – Delegates Rosenberg and Kaiser**

AN ACT concerning

**Janet L. Hoffman Loan Assistance Repayment Program – Internships**

FOR the purpose of providing that certain students who attend certain institutions of higher education and participate in certain internships with the State or local governments in the State are eligible to receive funding under the Janet L. Hoffman Loan Assistance Repayment Program; prohibiting certain awards from exceeding a certain amount; limiting the number of awards that the Office of Student Financial Assistance may make to certain students; altering a certain definition; making a stylistic change; and generally relating to funding under the Janet L. Hoffman Loan Assistance Repayment Program for certain students who participate in certain internships.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–1501 and 18–1502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 488 – Delegates Bromwell, Boteler, Cane, Cardin, Clagett, Cluster, Conaway, Costa, DeBoy, Donoghue, Frank, Glass, Guzzone, Hogan, Kach, Kaiser, K. Kelly, Kipke, McDermott, W. Miller, Minnick, Mitchell, Morhaim, Olszewski, B. Robinson, Rudolph, Schulz, Smigiel, 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; requiring that certain proceeds be paid into the Transportation Trust Fund; providing that an application 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), 9–1A–27(a), and 9–1A–36(f), (g), (h), (i), (j), and (q)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 489 – Delegates Griffith, V. Turner, Valderrama, and Walker**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Prince George’s County  
– National Children’s Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of the National Children’s Museum, Inc. to present evidence that a matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2009.

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item ZA02(G) and ZA03(F)

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

**House Bill 490 – Delegates A. Kelly, Frick, and Lee**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Jewish Social Service  
Agency**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$335,000, the proceeds to be used as a grant to the Board of Directors of the Jewish Social Service Agency, 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 491 – Delegates Bromwell, Costa, Hammen, and Kach**

AN ACT concerning

**Health Occupations – Temporary Volunteer Dentist’s License, Temporary Volunteer Dental Hygienist’s License, and Temporary Dental Clinic Permit**

FOR the purpose of establishing a temporary volunteer dentist’s license, a temporary volunteer dental hygienist’s license, and a temporary dental clinic permit under the State Board of Dental Examiners; altering a certain qualification for certain dentists and dental hygienists licensed in another state to be granted a license in this State; establishing certain procedures for dentists, dental hygienists, and bona fide charitable organizations to apply for certain licenses and permits; establishing the scope of practice of certain licenses; prohibiting the Board from requiring continuing education as a condition for the issuance of certain licenses; requiring temporary dental clinics to have a medical emergency plan, certain equipment, and certain safeguards; specifying certain powers of the Board; altering certain definitions; defining a certain term; making a stylistic change; and generally relating to the establishment of a temporary volunteer dentist’s license, a temporary volunteer dental hygienist’s license, and a temporary dental clinic permit.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–101, 4–304, 4–306, and 4–308

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 492 – Delegates Tarrant, Arora, Barnes, Branch, Burns, Cardin, Carr, Feldman, Frush, Haynes, Hucker, Ivey, Mitchell, Morhaim, Nathan–Pulliam, S. Robinson, Rosenberg, Stein, Stukes, F. Turner, and Wilson**

AN ACT concerning

**Cigars – Sales of Fewer 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, any cigar not contained within a sealed package of at least a certain number of cigars; prohibiting certain wholesalers from selling, reselling, distributing, dispensing, or giving away to certain persons any cigar not contained within a sealed package of at least 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; providing that this Act does not preempt a certain local law; 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 Fewer Than Four Per Package”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 493 – Delegates Conway and Cane**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2010 – Wicomico County – Salisbury Zoological Park Animal Health Clinic**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to change the name of a certain grantee from the Board of Directors of the Salisbury Zoo Commission, Inc. to the Mayor and City Council of the City of Salisbury; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA02(BX) and Item ZA03(BO)

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

### **House Bill 494 – Delegate Aumann**

AN ACT concerning

#### **State Retirement and Pension System – Vesting and Eligibility**

FOR the purpose of altering the eligibility requirements that certain members of the State Retirement and Pension System must meet in order to qualify for certain benefits; altering the number of years of service certain members of the State

Retirement and Pension System must accrue to vest in certain retirement and pension systems of the State Retirement and Pension System; and generally relating to members of the State Retirement and Pension System vesting in the several systems of the State Retirement and Pension Systems.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–401, 29–302(b), and 29–303(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 29–302(a) and 29–303(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 29–302(b–1) and 29–303(b–1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 495 – 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 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 496 – Delegates A. Kelly, Hammen, and Pendergrass**

AN ACT concerning

**Life Insurance – Definition**

FOR the purpose of expanding the definition of “life insurance” to include certain benefits; requiring the Maryland Insurance Administration to conduct a certain analysis and make a certain determination; requiring the Administration to report on certain findings to certain committees of the General Assembly on or before a certain date; and generally relating to life insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 1–101(x)

Annotated Code of Maryland

(2003 Replacement Volume and 2010 Supplement)

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

**House Bill 497 – Delegates Conway and Otto**

AN ACT concerning

**Natural Resources – Somers Cove Marina Commission – Procurement of Capital Projects**

FOR the purpose of authorizing the Executive Director of the Somers Cove Marina to procure certain capital improvement, design, and maintenance projects; requiring the Executive Director to follow certain procurement procedures under certain circumstances; and generally relating to the procurement of capital improvement, design, and maintenance projects for the Somers Cove Marina.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–908.1(b)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–908.1(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 498 – Delegates Elliott, Bates, Cluster, Eckardt, George, Hogan, Hough, Kach, Kipke, Krebs, McComas, McConkey, McDermott, W. Miller, Norman, O'Donnell, Ready, Serafini, and Stocksdale**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Legislative Districting – Single–Member Delegate Districts**

FOR the purpose of amending the Maryland Constitution to require that each Delegate elected to the House of Delegates represent a single–member district; requiring that each legislative district contain three single–member delegate districts; requiring that each legislative and delegate district be of substantially equal population, subject to a certain limitation; adding a new section of limited duration to the Maryland Constitution to specify that certain constitutional requirements apply to plans setting forth the boundaries of legislative districts beginning with the plan that is prepared after a certain decennial census; providing for the expiration of a certain constitutional requirement; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 3 and 4

BY proposing an addition to the Maryland Constitution  
Article XVIII – Provisions of Limited Duration  
Section 6

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

**House Bill 499 – Delegates Szeliga and A. Miller**

AN ACT concerning

**Admissions and Amusement Tax – Exemption – Hot Air Balloons**

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a county or municipal corporation on gross receipts derived from any charge for admission to or use of a hot air balloon or tethered hot air balloon; and generally relating to the admissions and amusement tax imposed by counties and municipal corporations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–103(b)(3)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 500 – Delegates Kach and McDonough**

AN ACT concerning

**Public Schools – Extracurricular Activities – Students in Home Instruction Programs**

FOR the purpose of authorizing a public school to allow certain students to participate in certain extracurricular activities under certain circumstances; requiring public schools to give placement priority to certain students over certain students if certain limitations exist; defining a certain term; and generally relating to allowing students in home instruction programs to participate in extracurricular activities sponsored by public schools.

BY adding to  
Article – Education  
Section 7–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 501 – Delegates Kach, Lafferty, and Olszewski**

AN ACT concerning

**Family Law – Child Support Collection Fee**

FOR the purpose of increasing the amount of child support payments that a family is required to receive before the Child Support Enforcement Administration is authorized to deduct a certain collection fee; and generally relating to child support.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–110  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Chapter 483 of the Acts of the General Assembly of 2007, as amended by  
Chapter 162 of the Acts of the General Assembly of 2008  
Section 2

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

**House Bill 502 – Delegates Barve, Cardin, Carr, Gilchrist, Ivey, A. Miller,  
Rosenberg, and F. Turner**

AN ACT concerning

**Sales and Use Tax – Sale of Electricity Generated by Solar Energy  
Equipment – Exemption**

FOR the purpose of providing an exemption from the sales and use tax for the sale of electricity generated by certain solar energy equipment for certain purposes; and generally relating to a sales and use tax exemption for the sale of certain electricity.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 503 – Delegates Bromwell, Kach, and W. Miller**

AN ACT concerning

**Health Occupations Boards – Discipline of Health Care Practitioners –  
Failure to Comply with Governor’s Order**

FOR the purpose of authorizing certain health occupations boards to take certain actions against certain health care practitioners under certain circumstances and subject to certain hearing provisions; prohibiting certain health care practitioners from knowingly and willfully failing to comply with certain provisions of law; subjecting certain health care practitioners to certain discipline under certain circumstances; and generally relating to the discipline of health care practitioners for the failure to comply with the Governor’s order relating to catastrophic health emergencies.

BY adding to  
Article – Health Occupations  
Section 1–219

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 14–3A–01(a) and (e) and 14–3A–03(c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–3A–08  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 504 – Delegates Dumais, Alston, Arora, Barkley, Barve, Carr, Cullison, Feldman, Frick, Gilchrist, Gutierrez, Hixson, Hucker, Kaiser, A. Kelly, Kramer, Lee, Luedtke, A. Miller, Reznik, S. Robinson, Valentino–Smith, Waldstreicher, and Zucker**

AN ACT concerning

#### **Local Correctional Facilities – Sentenced Inmates**

FOR the purpose of altering the circumstances under which a judge may sentence an individual to a local correctional facility; prohibiting a judge from sentencing an individual to a local correctional facility for a period exceeding a certain amount of time; and generally relating to the sentencing of inmates to a local correctional facility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 505 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Metropolitan Commission – Public Ethics Law**



FOR the purpose of defining each commissioner and employee of the St. Mary's County Metropolitan Commission as a "local official" for the purposes of the St. Mary's County Public Ethics Law; and generally relating to Public Ethics.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–803  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–807  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 506 – Anne Arundel County Delegation**

AN ACT concerning

#### **Alcoholic Beverages – Anne Arundel County – Entertainment Facility**

FOR the purpose of authorizing the Board of License Commissioners of Anne Arundel County to issue a certain entertainment facility license to certain persons for certain purposes; providing for the scope of the entertainment facility license; authorizing the Board to issue a certain entertainment concessionaire license to certain persons for certain purposes; providing for the scope of the entertainment concessionaire license; providing that beer, wine, and liquor sold under an entertainment facility license or an entertainment concessionaire license may be consumed anywhere in the entertainment facility; specifying that the licenses authorize the playing of music and dancing; providing that certain provisions relating to a special Sunday license do not apply to an entertainment facility license or an entertainment concessionaire license; providing for the annual fees and payment date for the licenses; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–202(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–202(k)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–102(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 507 – Delegates Branch, Anderson, Arora, Barnes, Dumais, Gilchrist, Gutierrez, Hubbard, A. Kelly, Kipke, Love, Nathan–Pulliam, Pena–Melnik, and Simmons**

AN ACT concerning

**Public Safety – Use of Electronic Control Devices – Reports**

FOR the purpose of requiring a law enforcement agency that issues electronic control devices to its law enforcement officers to report certain information relating to the use of electronic control devices annually on or before a certain date to the Governor’s Office of Crime Control and Prevention using a certain format; requiring the Police Training Commission, in consultation with the Governor’s Office of Crime Control and Prevention, the Maryland Chiefs of Police Association, and the Maryland Sheriffs’ Association, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data to the Governor’s Office of Crime Control and Prevention; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Governor’s Office of Crime Control and Prevention on or before a certain date; requiring the Governor’s Office of Crime Control and Prevention 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 on or before a certain date each year; providing that, if a law enforcement agency fails to comply with the reporting requirements of this Act, the Governor’s Office of Crime Control and Prevention 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 Police Training Commission, the Governor’s Office of Crime Control and Prevention and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly;

defining certain terms; providing for the termination of this Act; and generally relating to the use of electronic control devices by law enforcement officers.

BY adding to

Article – Public Safety

Section 3–508

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

**House Bill 508 – Chair, Environmental Matters Committee (By Request –  
Departmental – State Police)**

AN ACT concerning

**Vehicle Laws – Axle Load Limitations**

FOR the purpose of repealing a certain requirement relating to the measurement of the distance between coupled axles for purposes of applying certain weight limitations; repealing certain weight limitations on coupled axles; altering the determination of a certain limitation on the gross weight imposed on the ground surface by the wheels on the front axle of a vehicle combination; repealing a certain exception related to the determination of rated load capacities of tires for purposes of a certain gross weight limitation; making conforming changes; and generally relating to vehicle weight and load limits of axles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 24–108

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 509 – Delegate Niemann**

**EMERGENCY BILL**

AN ACT concerning

**Real Property – Mortgages – Enforcement**

FOR the purpose of clarifying the authority of the Commissioner of Financial Regulation to enforce the provisions of certain laws relating to mortgages by exercising certain investigative and enforcement powers; authorizing the Commissioner to require a violator of certain laws to take certain affirmative

actions to correct the violation; authorizing the Commissioner to investigate violations of certain laws and aid any other unit of State government that has regulatory jurisdiction over the business activities of a violator under certain circumstances; authorizing the Commissioner to cooperate with certain units of law enforcement in the investigation and prosecution of violations of certain laws; defining a certain term; making stylistic changes; making this Act an emergency measure; and generally relating to the enforcement of laws relating to mortgages.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 2–113 through 2–116  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–319 and 7–404  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 7–319.1, 7–401(a–1), and 7–404.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 510 – Delegates Waldstreicher, Anderson, Carter, Clippinger, Lee, McComas, Niemann, and Wilson**

AN ACT concerning

**Criminal Law – Peace Orders, Stalking, and Harassment**

FOR the purpose of altering the penalty for the second or subsequent offense of failure to comply with the relief granted in an interim, a temporary, or a final peace order; altering the definition of stalking to include communicating with another in a certain manner and knowingly cause another mental distress under certain circumstances; altering the penalty for harassment for a second or subsequent offense; and generally relating to peace orders and the offenses of stalking and harassment.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1508

Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–802 and 3–803  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 511 – Delegates Dumais, Alston, Anderson, Arora, Aumann, Barkley, Barnes, Bates, Clippinger, Eckardt, Feldman, Frush, Gaines, Glenn, Gutierrez, Haddaway–Riccio, Healey, Hough, Hubbard, Jameson, Kaiser, A. Kelly, Lee, Luedtke, Malone, McComas, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Nathan–Pulliam, Niemann, O’Donnell, Parrott, Pena–Melnik, Reznik, S. Robinson, Simmons, Smigiel, Stocksdale, Valentino–Smith, Waldstreicher, and Wilson**

AN ACT concerning

**Juvenile Services – Services and Programs for Females**

FOR the purpose of requiring the Department of Juvenile Services to serve children in the juvenile services system with programming that provides females with certain services and programs; requiring the Department to report to the General Assembly on or before a certain date; requiring the report to include certain information; and generally relating to juvenile services.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–238.1  
Annotated Code of Maryland  
(2007 Volume and 2010 Supplement)

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

**House Bill 512 – Delegates Beidle and Vitale**

AN ACT concerning

**High Performance Homes – Rebate Program**

FOR the purpose of requiring the Department of Housing and Community Development to establish a certain rebate program for homebuyers who purchase high performance homes in accordance with certain requirements; and

generally relating to a rebate program for homebuyers who purchase high performance homes.

BY adding to

Article – Public Safety

Section 12–509

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

**House Bill 513 – Delegates Elliott, Aumann, Bates, Bromwell, Dwyer, Eckardt, Frank, George, Howard, Jameson, Kach, Kipke, Krebs, McComas, McConkey, McMillan, W. Miller, Murphy, Norman, O'Donnell, Ready, Schuh, Schulz, Stocksedale, and Szeliga**

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 and a certain technical correction; requiring 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

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 514 – Delegates Kach, McDonough, and Morhaim**

AN ACT concerning

#### **Vehicle Laws – Work Zone Speed Control Systems – Signage**

FOR the purpose of providing that a road sign required to notify drivers that a speed monitoring system may be in operation in a work zone must also notify drivers that images of motor vehicles may be recorded even if there are no workers present; and generally relating to work zone speed control systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–810(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–810(b)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 515 – Delegate Kach**

AN ACT concerning

#### **State Retirement and Pension System – Military Service Credit – Reservists**

FOR the purpose of authorizing certain members of the State Retirement and Pension System who are members of a reserve component of the armed forces of the United States, to receive a certain amount of service credit under certain circumstances for military service as a member of a reserve component of the armed forces of the United States; and generally relating to military service credit for members of a reserve component of the armed forces of the United States.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 38–103(d) and 38–104(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 516 – Delegates Bromwell and Kipke**

AN ACT concerning

#### **Health Benefit Exchanges – Establishment and Operation**

FOR the purpose of requiring a health benefit exchange to be established as a nonprofit entity; prohibiting an exchange from being established as a governmental agency; establishing the primary purpose of an exchange; requiring an exchange to focus its efforts on carrying out certain exchange functions; prohibiting an exchange from taking on certain functions, providing certain products or services, or soliciting certain business; requiring the Maryland Insurance Commissioner to examine the duties and ensure

appropriate regulation of certain persons; establishing certain requirements for the cost of establishing and operating an exchange; defining certain terms; and generally relating to health benefit exchanges.

BY adding to

Article – Insurance

Section 15–2001 and 15–2002 to be under the new subtitle “Subtitle 20. Health Benefit Exchanges”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 517 – Delegate Kach**

AN ACT concerning

#### **Cemeteries – Preneed Burial Contracts – Interest or Finance Charges**

FOR the purpose of authorizing a cemetery to provide for interest or a finance charge in a preneed burial contract; repealing a provision that limits to certain goods and services the authority of a cemetery to impose interest or a finance charge in a preneed burial contract; and generally relating to interest or finance charges in preneed burial contracts by a cemetery.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–704

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 518 – Delegates Krebs, Afzali, Barkley, Bates, Boteler, Cluster, Costa, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frank, George, Glass, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Kramer, McComas, McDermott, McDonough, McMillan, W. Miller, Minnick, Myers, Norman, Parrott, Ready, Reznik, B. Robinson, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Szeliga, Vitale, and Wood**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning



**Transportation Trust Fund Protection Act**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation with a certain exception; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

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

**House Bill 519 – Delegates Arora, Clippinger, Anderson, Carter, Conaway, Dumais, Frick, Lee, Luedtke, Mitchell, Niemann, Simmons, Sophocleus, Summers, Tarrant, Valderrama, Valentino–Smith, and Waldstreicher**

AN ACT concerning

**Firearms – Knowing Violation of Specified Prohibitions – Penalty**

FOR the purpose of applying a certain penalty to the knowing violation of a certain prohibition against the possession of a regulated firearm or ammunition solely designed for a regulated firearm by a person who is under a certain age, and to the knowing violation of a certain prohibition against obliterating, removing, changing, or altering the manufacturer's identification mark or number on a firearm; and generally relating to firearms violations.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133(d) and 5–142  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–143  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 520 – Delegates Rosenberg, Mizeur, Arora, Barve, Cardin, Cullison, DeBoy, Donoghue, Feldman, Frank, Hubbard, Huckler, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, McDonough, Mitchell, Morhaim, Murphy, Oaks, Pena–Melnik, Ready, Reznik, Ross, Stein, Tarrant, V. Turner, Vaughn, and Zucker**

AN ACT concerning

**Transportation – Procurement for MARC Train Service – Disclosure Requirements Regarding Involvement in Deportations**

FOR the purpose of requiring certain entities that submit a bid or proposal to the Maryland Department of Transportation or certain other units of the State or local government to provide certain MARC train service to submit a certain statement concerning certain deportation activity in which the entity may have engaged; requiring an entity to include certain information in the statement; requiring the Department of Transportation or certain other units of the State or local government to consider certain information provided by certain entities seeking to provide certain MARC train service; defining certain terms; and generally relating to the disclosure of certain information by entities that submit bids or proposals on procurement contracts to provide certain MARC train service.

BY adding to

Article – State Finance and Procurement

Section 12–501 through 12–504 to be under the new subtitle “Subtitle 5.

Disclosure Requirements Regarding Involvement in Deportations”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation

Section 7–508

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 521 – Delegates Carter, Vallario, Anderson, Gutierrez, and Rosenberg**

AN ACT concerning

**Estates and Trusts – Transfers – Recordation and Transfer Taxes**

FOR the purpose of altering a certain provision prohibiting the imposition of certain taxes on certain transfers of property by a personal representative or the recordation of certain instruments; prohibiting the imposition of certain taxes on certain transfers of real property or the recordation of certain instruments relating to certain transfers to or from certain trusts; providing certain exemptions under the recordation tax and State transfer tax for instruments of writing relating to certain transfers from an estate and certain transfers to or from certain trusts; defining certain terms; and generally relating to the taxation of certain transfers from an estate and certain transfers to or from certain trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 9–105  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 14–114  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Tax – Property  
Section 12–108(dd) and (ee) and 13–207(a)(22) and (23)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–207(a)(20) and (21)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 522 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County – Correctional Officers’ Bill of Rights**

FOR the purpose of adding St. Mary’s County to certain provisions of law relating to the Cecil County Correctional Officers’ Bill of Rights; altering the definition of “correctional officer” to exclude a correctional officer who is in probationary status on the officer’s initial entry into the correctional agency, subject to a

certain exception; and generally relating to the Correctional Officers' Bill of Rights.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–1001(b) and 11–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 523 – Delegates Rosenberg and Dumais**

AN ACT concerning

**Courts – Fee for the Special Admission of an Out-of-State Attorney – Janet L. Hoffman Loan Assistance Repayment Program**

FOR the purpose of requiring the State Court Administrator to assess a certain fee for the special admission of an out-of-state attorney and to pay a certain portion of the fee into the Janet L. Hoffman Loan Assistance Repayment Program; providing that funds for the Program include money paid to the Program from the assessment of a certain fee; and generally relating to funding for the Janet L. Hoffman Loan Assistance Repayment Program with fees paid for the special admission of out-of-state attorneys.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 10–215  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–202  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 18–1502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–1504

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 524 – Delegates Clagett and James**

AN ACT concerning

**Task Force to Review State Regulations**

FOR the purpose of establishing a Task Force to Review State Regulations; providing for the membership, purposes, and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study certain matters; requiring the Task Force to report to certain persons by a certain date; providing for the termination of this Act; and generally relating to a Task Force to Review State Regulations.

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

**House Bill 525 – Delegates Rosenberg and Ivey**

AN ACT concerning

**Public School Personnel – Grounds for Suspension or Dismissal –  
Ineffectiveness**

FOR the purpose of authorizing county boards of education, on the recommendation of the county superintendent of schools, to suspend or dismiss teachers, principals, and certain other public school personnel for ineffectiveness as determined under certain circumstances; declaring a certain intent of the General Assembly; and generally relating to the suspension or dismissal of ineffective public school personnel.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–202

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 526 – Delegates Rosenberg, Ivey, Kaiser, and Luedtke**

AN ACT concerning

**Education – Public Charter Schools – Hiring of Certificated Employees**

FOR the purpose of providing that mutual consent between the county board and charter operator shall govern the hiring of certain qualified and certificated individuals who are working in a public charter school; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to the hiring of certificated public charter school employees.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 9–108  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 527 – Delegates Hogan, Boteler, Bromwell, Eckardt, George, Hough, Kaiser, McDermott, McIntosh, McMillan, Minnick, Myers, B. Robinson, Rosenberg, Schulz, Stocksdale, and Wilson**

AN ACT concerning

**Lead Safe Income Tax Credit**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax under certain circumstances for certain costs incurred for an approved lead hazard reduction project with respect to certain property; providing for calculation of the credit; disallowing the credit for costs for which the taxpayer has received a grant or loan under certain State programs; providing for the carryover of unused credit; providing for submission of proposals for lead hazard reduction projects to the Department of Housing and Community Development for approval; limiting the total amount of credits that the Department may approve for any fiscal year; prohibiting the Department from approving lead hazard reduction projects for a credit after a certain date; prohibiting certain false statements; providing a certain penalty for certain violations; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain approved lead hazard reduction projects.

BY adding to  
Article – Tax – General  
Section 10–729  
Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 528 – Delegates Luedtke, Alston, Carr, Clippinger, Frick, Frush, Ivey, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Niemann, S. Robinson, Rosenberg, F. Turner, and Zucker**

AN ACT concerning

**Education – Open Space on Public School Property – Planting and Maintaining Gardens**

FOR the purpose of requiring county boards of education to encourage the use of open space on public school property for a certain purpose; requiring certain county boards to permit the use of certain public school property for certain purposes during certain times by certain groups subject to certain requirements; requiring certain groups to submit certain plans to the county superintendent of schools; requiring certain groups to limit the application of pesticides under certain circumstances; authorizing certain county boards to incorporate the use of school gardens into certain curriculum guides and courses of study; authorizing county boards to use certain produce in school cafeterias in accordance with certain laws and regulations; and generally relating to the use of open space on public school property for the planting and maintaining of school gardens.

BY adding to

Article – Education

Section 7–108.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 529 – Delegates A. Miller, Afzali, Alston, Arora, Barkley, Barve, Boteler, Carr, Clippinger, Cullison, Dumais, Feldman, George, Gilchrist, Glass, Hammen, Ivey, Kaiser, A. Kelly, Kramer, Lee, Luedtke, Niemann, O'Donnell, Olszewski, Pena–Melnyk, Reznik, S. Robinson, Serafini, Summers, F. Turner, Valderrama, Valentino–Smith, and Zucker**

AN ACT concerning

**Telephone Companies – Distribution of Telephone Directories to Residential Customers**

FOR the purpose of providing that a telephone company may not be required to distribute a certain telephone directory to an address in the State unless the property owner or an occupant requests the directory; and generally relating to telephone companies and the distribution of telephone directories.

BY adding to

Article – Public Utilities  
Section 8–206  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 530 – Delegates Rosenberg, Ivey, Kaiser, and Luedtke**

AN ACT concerning

**Public Charter Schools – Occupation and Use of School Sites and Buildings**

FOR the purpose of requiring certain county boards of education to inform certain public charter schools in the county if school sites or buildings have been determined by the county board to be no longer needed for school purposes under certain circumstances; requiring certain county boards to establish certain procedures; prohibiting a public charter school that is occupying and using a certain school site or building from selling, disposing of, or otherwise transferring the school site or building; exempting certain buildings or property occupied and used by a public charter school from certain real property taxes for a certain period of time; and generally relating to public charter schools.

BY repealing and reenacting, with amendments,

Article – Education  
Section 4–115  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Education  
Section 9–111 and 9–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 531 – Delegates Valentino–Smith, Carter, Frush, Hubbard, Oaks, Ross, V. Turner, and Walker**

AN ACT concerning



**State Racing Commission – Meetings – Notice of Agenda Items**

FOR the purpose of requiring the State Racing Commission to post the agenda for an open meeting of the Commission on the Commission's Web site a certain number of days before the meeting; authorizing the Commission to include a certain disclaimer on the agenda; prohibiting the Commission from amending an agenda that has been posted under certain circumstances; requiring the Commission to post an amended agenda on the Commission's Web site a certain number of hours after the agenda has been amended; and generally relating to the posting of meeting agendas of the State Racing Commission.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**House Joint Resolution 5 – Delegates Carter, Carr, Clippinger, Cullison, Dumais, Gutierrez, Mitchell, Nathan–Pulliam, Oaks, Tarrant, Vallario, and Waldstreicher**

A House Joint Resolution concerning

**Resolution on Earth Hour**

FOR the purpose of recognizing a certain hour on a certain day as Earth Hour; urging Marylanders to observe Earth Hour; urging the Governor to order that the lights in Government House and the State Capitol complex be turned off during Earth Hour; and generally relating to Earth Hour.

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

**QUORUM CALL**

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

(See Roll Call No. 41)

**ADJOURNMENT**

At 8:22 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 8, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 8, 2011**

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

Prayer by Delegate Herb McMillan of Anne Arundel County.

**QUORUM CALL**

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

(See Roll Call No. 42)

The Journal of February 7, 2011 was read and approved.

**EXCUSES:**

Del. Carter – personal  
Del. Gutierrez – medical  
Del. Hubbard – business  
Del. Hucker – business  
Del. Ivey – personal – family emergency  
Del. McDonough – illness  
Del. Sophocleus – illness

**INTRODUCTION OF BILLS**

**House Bill 532 – Delegate Clagett**

AN ACT concerning

**Bay Restoration Fund – Fee Exemption**

FOR the purpose of providing that a certain user of a wastewater facility is exempt from paying a Bay Restoration Fee under a certain circumstance; and generally relating to the Bay Restoration Fund.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 533 – Delegate Kipke**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Lake Shore Volunteer Fire Company**

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 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 534 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Polling Places – Electioneering Boundaries**

**MC 19–11**

FOR the purpose of altering the location of the line beyond which electioneering is prohibited outside a polling place in Montgomery County; and generally relating to electioneering at a polling place in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 16–206  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 535 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Town of Kensington – Off-Sale Beer and Light Wine Licenses**

**MC 9–11**

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a certain number of Class A (off-sale) beer and light wine licenses in a certain area in the town of Kensington; specifying the hours and days of sale; prohibiting a license holder from engaging in certain activities; providing for an annual license fee; and generally relating to the sale of alcoholic beverages in the town of Kensington.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–216(a)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 536 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Septic System and Well Easements – Rural Zones**

**MC 17–11**

FOR the purpose of providing that, with certain exceptions, in Montgomery County a subdivision located in a certain rural zone may be served by a septic system or a well located on a contiguous property under certain easements; establishing certain exceptions; clarifying that this Act does not authorize the creation of additional lots; defining certain terms; and generally relating to septic system and well easements in Montgomery County.

BY adding to  
Article – Environment  
Section 9–1110  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 537 – Delegate Braveboy**

AN ACT concerning

**Real Property – State Community Association Managers Registry**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to establish a certain registry of entities providing certain community association management services for condominiums, homeowners associations, or cooperative housing corporations located in the State; requiring certain entities to register with the registry; requiring an entity to register annually by a certain date; requiring the Department to provide the registration form and collect a certain fee; requiring the annual fee to be a certain amount; requiring certain information to be included in the registration form; authorizing the Department to make certain information available to the public subject to certain provisions; making a willful violation of this Act a misdemeanor subject on conviction to a certain penalty; defining certain terms; and generally relating to the registration of entities providing community association property management services in the State.

BY adding to

Article – Real Property

Section 14–131.1

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 538 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Stormwater Charges – County and Municipal Property**

**MC 21–11**

FOR the purpose of providing a certain exception to an exemption from certain taxes, user charges, and utility fees relating to stormwater for property owned by a county or municipality; providing for the application of a certain provision; providing that property owned by Montgomery County is subject to certain stormwater charges imposed by the governing body of the municipality within which the property is located; providing that property owned by a municipality that is located in an unincorporated area of Montgomery County is subject to certain stormwater charges imposed by the governing body of Montgomery County; making a stylistic change; repealing obsolete language; and generally relating to local stormwater charges.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 24–406  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–204  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 539 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting**

**MC 7–11**

FOR the purpose of authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a certain matter; authorizing the student member of the Montgomery County Board of Education to vote on certain matters; and generally relating to the voting rights of the student member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–901(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–202(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 540 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Leghold or Body–Gripping Traps – Prohibition**

**MC 8–11**

FOR the purpose of expanding the application of the prohibition against the use, setting, placement, or maintenance of a leghold or body–gripping trap in Montgomery County; making a certain technical correction; making a stylistic change; and generally relating to the 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 2010 Supplement)

BY adding to  
Article – Natural Resources  
Section 10–410(o–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 541 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – City of Takoma Park – Alcoholic Beverages – Class B  
On– and Off–Sale License****MC 6–11**

FOR the purpose of adding an off–sale privilege to the Class B beer and light wine license issued for hotels and restaurants in the City of Takoma Park; requiring that an applicant for the license be approved by the City of Takoma Park Council before the applicant may be issued the license by the Board of License Commissioners; and generally relating to Class B beer and light wine, hotel and restaurant licenses in the City of Takoma Park.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–216(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 542 – Montgomery County Delegation**



AN ACT concerning

**Montgomery County – Alcoholic Beverages – Beer and Wine Sampling or Tasting License**

**MC 3–11**

FOR the purpose of expanding the list of alcoholic beverages licenses that the Montgomery County Board of License Commissioners may issue in the City of Takoma Park to include a beer and wine sampling or tasting (BWST) license; authorizing the Board to issue a BWST license to certain persons; authorizing certain holders of a BWST license to hold only wine tastings or samplings; specifying the annual license fee; 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 and issuing a BWST license; authorizing an applicant for a BWST license to request a hearing before the Board under certain circumstances; defining a certain term; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–216(d)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–408.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 543 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Special Culinary School License**

**MC 14–11**

FOR the purpose of establishing in Montgomery County a special culinary school license; authorizing the Board of License Commissioners to issue the license for use on the premises of certain culinary educational institutions; setting a certain annual fee; authorizing a license holder to allow the consumption of

certain alcoholic beverages by certain individuals in connection with certain courses; specifying that an individual may consume alcoholic beverages under the license only on the licensed premises; specifying the hours during which the license holder may conduct certain activities under the license; requiring that a license holder provide food during the hours alcoholic beverages are served; prohibiting a license holder from holding any other alcoholic beverages license; authorizing the Board of License Commissioners to issue up to a certain number of licenses to a single culinary school; providing that certain restrictions on the sale of alcoholic beverages in the vicinity of certain schools, places of worship, or youth centers do not apply to a special culinary school license; defining a certain term; and generally relating to a special culinary school license in Montgomery County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–216.3 and 9–102(q)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 9–102(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–216(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 544 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Wine Consumption – Restaurants and Class C License Facilities**

#### **MC 13–11**

FOR the purpose of allowing an individual in a restaurant or facility for which a certain alcoholic beverages license is issued in Montgomery County to consume under certain circumstances wine not purchased from or provided by the restaurant or facility; authorizing a certain license holder to charge an individual a certain fee under certain circumstances; applying the sales tax to

the fee; requiring a certain individual to dispose of or remove certain wine after finishing a meal; allowing the individual to remove from the licensed premises a bottle, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an “open container” for a certain purpose; altering a certain definition; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 545 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Alcohol Sales – Burtonsville Towne Square and Hillandale Shopping Center**

#### **MC 2–11**

FOR the purpose of authorizing the Montgomery County Board of License Commissioners by unanimous vote to approve applications for alcoholic beverages licenses for restaurant establishments located in certain shopping centers in Montgomery County under certain circumstances; specifying that the license authorizes the license holder to keep for sale and sell alcoholic beverages for consumption on the premises only; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 9–216  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 546 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – Special Elections – Voting by Mail**

**MC 15–11**

FOR the purpose of authorizing a special election in Montgomery County to be conducted by voting by mail; applying certain provisions of law to ballots used for voting by mail in Montgomery County; requiring the State Board to adopt regulations to govern voting by mail; requiring the regulations to provide for certain elements regarding voting by mail; altering a certain definition; and generally relating to special elections and voting by mail in Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 1–101(d) and 9–204  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 9–501 through 9–503 to be under the new subtitle “Subtitle 5. Voting by Mail”  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 547 – Delegates Hubbard, Holmes, and Valentino–Smith**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Prince George’s County  
– Whitemarsh Turf Field**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to change the name of a certain grantee to the Mayor and City Council of the City of Bowie; extending the deadline for the grantee to present evidence that a

matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2009.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA03(BJ)

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

### **House Bill 548 – Delegate Braveboy**

AN ACT concerning

#### **Homeowner’s Insurance – Notice of Underwriting Standards**

FOR the purpose of altering a certain annual statement that an insurer that issues or delivers policies of homeowner’s insurance in the State must provide to policyholders to require the statement to summarize the insurer’s underwriting standards for insurance eligibility; requiring the statement to include a certain disclosure that states that the policyholder should communicate with certain persons for additional information regarding the insurer’s underwriting standards for insurance eligibility; providing for the application of this Act; and generally relating to providing notice to policyholders of underwriting standards for insurance eligibility under policies of homeowner’s insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–205  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 549 – Delegates Morhaim and Elliott**

AN ACT concerning

#### **State Board of Pharmacy – Pharmacists – Practice of Pharmacy and Licensure**

FOR the purpose of altering the definition of “practice pharmacy” for purposes of certain provisions of law governing pharmacists and pharmacies to include certain activities or services provided to or on behalf of certain persons in this State by individuals employed by certain entities; requiring that an individual be licensed before practicing pharmacy as an employee of certain entities; requiring nonresident pharmacies to require employees to comply with certain

licensure provisions; and generally relating to the practice of pharmacy and licensing of pharmacists.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–101(t), 12–301, and 12–403(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 550 – Delegates Haynes, Mitchell, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – St. James Academy  
Comprehensive Educational Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$610,000, the proceeds to be used as a grant to the Board of Directors of the St. James Academy, 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 551 – Delegates Clippinger, Hammen, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – The Children’s Guild Elevator for  
Children with Multiple Disabilities**

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 Children’s Guild, 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 552 – Delegates Braveboy, DeBoy, Guzzone, and Nathan–Pulliam**

AN ACT concerning

**Corporations and Associations – Low–Profit Limited Liability Companies**

FOR the purpose of authorizing the formation of a certain low–profit limited liability company as a permitted form of unincorporated business organization; requiring the name of a low–profit limited liability company to include certain words or abbreviations; requiring a low–profit limited liability company to meet certain requirements at its formation; providing that if a low–profit limited liability company that met certain requirements at its formation subsequently ceases to satisfy a certain requirement, it shall immediately cease to be a low–profit limited liability company but may continue to exist as a limited liability company under certain circumstances; requiring that the articles of organization for a limited liability company set forth whether it is a low–profit limited liability company; defining a certain term; and generally relating to low–profit limited liability companies.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–501, 1–502(b) and (f), 4A–101(m) through (q), and 4A–204(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 1–502(f), 4A–101(m), and 4A–201.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 4A–101(a) and (k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**House Bill 553 – Delegates Branch and Glenn**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mattie B. Uzzle Outreach Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$375,000, the proceeds to be used as a grant to the Board of Directors of the Collington Square Non-Profit Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 554 – Delegates Hubbard and Valentino-Smith**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Community Safety and Surveillance Systems**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$120,000, the proceeds to be used as a grant to the Board of Directors of 301 Community Corporation, 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 555 – Delegates Hubbard, Holmes, and Valentino-Smith**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Whitemarsh Turf Field**

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 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 556 – Delegate Clagett**



AN ACT concerning

**Business Regulation – Cemeteries – Forfeited Rights to Interment**

FOR the purpose of authorizing a cemetery to initiate proceedings for the forfeiture of the right to interment under certain circumstances; requiring a cemetery that initiates proceedings for the forfeiture of the right to interment to provide certain notice; authorizing an owner or a family member of the owner of a right to interment to suspend certain forfeiture proceedings in a certain manner; establishing that an unused right to interment is forfeited within a certain period of time under certain circumstances; granting certain remedies to the owner or an individual entitled to use an interment that has been forfeited; providing for the application of this Act; and generally relating to forfeiting rights to interment in cemeteries.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 5–101(a), (d), (g), (l), (m), (n), and (t)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–503  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 557 – Delegates Hubbard and Valentino–Smith**

AN ACT concerning

**Horse Racing – Bowie Race Course Training Center – Ownership Transfer**

FOR the purpose of authorizing the owner of the Bowie Race Course Training Center to convey certain property associated with the training center to the State as preserved land under Program Open Space; and generally relating to horse racing and the Bowie Race Course Training Center.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–519  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 558 – Delegates Barve and Branch**

AN ACT concerning

**Property Tax Credit – Habitat for Humanity**

FOR the purpose of altering certain authority for the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation 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; 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.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–252

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 559 – Delegate Vitale**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Blackstone Memorial Amphitheatre**

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 Blackstone and Associates, LLC 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 560 – Delegate Hubbard**

AN ACT concerning

**Polysomnography – Technologists and Technicians – Licensing  
Requirements**

FOR the purpose of establishing a polysomnographic technician license; requiring the State Board of Physicians to set certain fees regarding the licensing of polysomnographic technicians; altering the duties of the Polysomnography Professional Standards Committee; altering certain education requirements to qualify for a polysomnographic technologist license; providing for the qualifications for a polysomnographic technician license; requiring the Board to waive certain education requirements for certain applicants for a polysomnographic technologist license under certain circumstances; providing that a certain applicant who qualified for a polysomnographic technician license under certain circumstances is entitled to be licensed for a single term under certain circumstances; providing for the scope of a license to practice polysomnography as a polysomnographic technician; prohibiting the Board from renewing the license of a polysomnographic technician; prohibiting a licensed polysomnographic technician from surrendering or allowing a license to lapse under certain circumstances; defining certain terms; making certain conforming changes; and generally relating to licensing requirements for polysomnographic technologists and technicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5C–01, 14–5C–04, 14–5C–07, 14–5C–09, 14–5C–13, 14–5C–14,  
14–5C–16, and 14–5C–18

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations

Section 14–5C–10.1 and 14–5C–10.2

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 561 – Delegates Cardin and Rosenberg**

AN ACT concerning

**Election Law – Voter Registration – Exchange of Information**

FOR the purpose of requiring State agencies to provide certain data to the State Board of Elections for the purpose of maintaining an accurate statewide voter registration list; prohibiting the State Board from disclosing certain data it receives except under certain circumstances; authorizing the State Board to

enter into agreements with other states to exchange certain data that is relevant to maintaining accurate voter registration lists; authorizing the State Board to exchange certain data that is not subject to public disclosure under the Public Information Act with other persons for the purpose of maintaining accurate voter registration lists; prohibiting a person who receives certain data that is not subject to public disclosure under the Public Information Act from using or redisclosing that data except for the purpose of maintaining accurate voter registration lists; and generally relating to the exchange of data for the purpose of maintaining accurate voter registration lists.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–101  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 562 – Delegate Hubbard**

AN ACT concerning

#### **Income Tax – Credit for Long–Term Care Premiums**

FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long–term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long–term care insurance purchased after a certain date; providing that the credit may not be claimed after a certain date; providing that a report on the credit by the Comptroller be provided until a certain date; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care insurance premiums.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–718  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 563 – Delegate Braveboy**

AN ACT concerning

#### **Electronic Control Devices – Permit Process and Requirements**

FOR the purpose of altering a certain prohibition on the possession and use of an electronic control device to prohibit a person from purchasing, wearing, carrying, or transporting an electronic control device unless the person has been issued a certain permit; providing a certain exception for a person who is on active assignment engaged in law enforcement in certain circumstances; requiring the manufacturer or seller of an electronic control device to ensure compliance with certain provisions before selling or activating an electronic control device; requiring the seller of an electronic control device to maintain a certain record and confirm that the purchaser may lawfully purchase the electronic control device; establishing a certain penalty for a person who violates certain provisions of law related to the sale and activation of an electronic control device; requiring that an application for a permit be made under oath; providing for an application fee; requiring the Secretary of State Police or the Secretary's designee to apply to the Criminal Justice Information System Central Repository for a certain criminal history records check in a certain manner for each applicant for a permit; requiring the Central Repository to forward certain information to the applicant and the Secretary; providing that certain information obtained from the Central Repository is confidential and may only be used for a certain purpose; authorizing an applicant to contest the printed statement issued by the Central Repository in a certain manner; requiring the Secretary to issue a permit within a reasonable time to a person who meets certain requirements; providing for the validity of the permit for certain electronic control devices; requiring a person who is issued a permit to carry the permit in the person's possession when the person carries, wears, or transports an electronic control device; authorizing the Secretary to revoke a permit on certain findings; requiring the holder of a revoked permit to return the permit to the Secretary within a certain period of time; authorizing a person who is denied a permit or whose permit is revoked to request a certain review; requiring the Secretary to take certain actions with regard to a certain review; and generally relating to permits for electronic control devices.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–109

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Public Safety

Section 5–601 through 5–609 to be under the new subtitle “Subtitle 6. Electronic Control Devices” and the amended title “Title 5. Firearms and Electronic Control Devices”

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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. 43)

**ADJOURNMENT**

At 10:24 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 9, 2011.

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**Annapolis, Maryland**  
**Wednesday, February 9, 2011**

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

Prayer by Delegate Keith E. Haynes of Baltimore City.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 44)

The Journal of February 8, 2011 was read and approved.

**EXCUSES:**

Del. Gutierrez – medical

Del. Ivey – personal – family emergency

Del. McHale – personal

**INTRODUCTION OF BILLS**

**House Bill 564 – Delegates Wilson, Arora, and McIntosh**

AN ACT concerning

**Motor Vehicles – Required Seat Belt Use by Each Occupant**

FOR the purpose of prohibiting a person from operating a motor vehicle unless each occupant is restrained by a seat belt or a child safety seat; prohibiting a person from being a passenger in a motor vehicle unless the person is restrained by a seat belt or a child safety seat; establishing a certain penalty for certain persons who violate certain provisions of this Act; repealing a certain exception to the requirement to secure certain children in a motor vehicle with a seat belt or a child safety seat; altering the standard for the number of seat belts required to be equipped in the front and back seats of certain motor vehicles; repealing a certain defined term; making certain stylistic changes; clarifying certain language; and generally relating to required seat belt use by each occupant of a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 16–113(d–1), 22–412, 22–412.2, 22–412.3, and 27–106(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

## House Bill 565 – Allegany County Delegation

### EMERGENCY BILL

AN ACT concerning

### Gaming – Video Lottery Terminals

FOR the purpose of prohibiting the Video Lottery Facility Location Commission from awarding a video lottery operation license for a location in Allegany County unless an applicant agrees to purchase the Rocky Gap Lodge and Resort; authorizing an individual or business entity that has been awarded or issued a video lottery operation license to own an interest in a video lottery facility in Allegany County, subject to certain approvals; restricting access to a video lottery facility in Allegany County from the Rocky Gap Lodge and Resort if video lottery terminals are permanently located in the Rocky Gap Lodge and Resort; requiring the holder of a video lottery operation license in Allegany County to provide for meeting space in the Rocky Gap Lodge and Resort under certain circumstances; waiving the initial license fee for an application submitted for a video lottery operation license in Allegany County for up to a certain number of video lottery terminals; providing that the calculation of the direct investment requirement for an application submitted for a video lottery operation license in Allegany County shall include the purchase price of the Rocky Gap Lodge and Resort, subject to a determination by the Video Lottery Facility Location Commission; repealing certain obsolete provisions; 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–05(a) and (d), 9–1A–11(d), 9–1A–27(a) and (b), and 9–1A–36(h)(1)  
and (j)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–11(b) and (c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)



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

**House Bill 566 – Delegates Busch, George, and McMillan**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Charles Carroll House**

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 Trustees of The Charles Carroll House of Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**House Bill 567 – Delegates Hixson, Cardin, Glass, Luedtke, McHale, A. Miller, Myers, Rosenberg, Serafini, and Summers**

AN ACT concerning

**Income Tax – Heavy-Duty Diesel Vehicles – Credit for Idle Reduction Devices**

FOR the purpose of allowing an individual or corporation a credit against the State income tax in a certain amount for certain costs incurred for the purchase and installation of a qualifying idling reduction device in certain vehicles; limiting the amount of the credit that may be claimed for any taxable year; providing for the carryover of unused credit if the credit otherwise allowed exceeds the State income tax otherwise payable for a taxable year; providing that a credit may not be claimed for the purchase and installation of a qualifying idling reduction device after a certain date; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax in a certain amount for certain costs related to the purchase and installation of idle reduction devices.

BY adding to

Article – Tax – General

Section 10-729

Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 568 – Delegates Wilson, Afzali, Bobo, Bohanan, Carr, Clippinger, Cluster, Dwyer, Eckardt, Fisher, Hogan, Ivey, Krebs, McMillan,**

**Mitchell, Niemann, O'Donnell, Pena–Melnyk, B. Robinson, S. Robinson,  
Tarrant, Walker, and Washington**

AN ACT concerning

**Criminal Law – Use of Proceeds of Drug Crime – Repeal of Exception for  
Person's Right to Representation**

FOR the purpose of repealing, from the prohibition on engaging in certain financial transactions involving the proceeds of a drug crime, the exception for a financial transaction necessary to preserve a person's right to legal counsel; and generally relating to the use of the proceeds of a drug crime.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–623(b)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 569 – Delegates James and Rudolph**

AN ACT concerning

**Creation of a State Debt – Cecil County – Girl Scouts Conowingo Water  
System**

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 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 570 – Delegates Nathan–Pulliam, Costa, Glenn, Griffith, Jones,  
Kipke, Mizeur, Stein, Tarrant, V. Turner, and Walker**

AN ACT concerning

**Health Care Providers – Training – Eating Disorders**

FOR the purpose of requiring certain health care providers to complete certain course work or training relating to eating disorders; establishing certain requirements

for the course work or training; requiring certain health care providers to make a certain attestation to certain licensing boards at a certain time; providing that a health care provider is exempt from this Act under certain circumstances; defining a certain term; and generally relating to the training of health care providers about eating disorders.

BY adding to

Article – Health – General

Section 20–1401 to be under the new subtitle “Subtitle 14. Health Care Provider Training on Eating Disorders”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 571 – Delegates Lee, Barve, Dumais, Feldman, Frick, Gutierrez, Guzzone, Huckler, Kipke, Luedtke, A. Miller, Minnick, Mizeur, Nathan–Pulliam, F. Turner, and V. Turner**

AN ACT concerning

### **Maryland Biotech SBIR and STTR Bridge Program**

FOR the purpose of establishing a Maryland Biotech SBIR and STTR Bridge Program to be administered by the Maryland Technology Development Corporation for certain purposes; authorizing the Program to provide grants to certain eligible biotechnology businesses; stating the purpose of the Program; establishing the Maryland Biotech SBIR and STTR Bridge Fund as a special, nonlapsing fund for certain purposes; providing for the administration, sources, and use of the Fund; requiring a certain audit of the Fund; establishing application procedures for grants under the Program; establishing certain limits on the number of grants awarded; authorizing the Maryland Technology Development Corporation to adopt certain regulations; expressing certain legislative intent related to certain appropriations; and generally relating to the creation of a program to promote biotechnology research in the State.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–401(a) and (c)

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY adding to

Article – Economic Development

Section 10–454 through 10–457 to be under the new part “Part V. Maryland Biotech SBIR and STTR Bridge Program”

Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

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

**House Bill 572 – Charles County Delegation**

AN ACT concerning

**Creation of a State Debt – Charles County – Maryland Veterans Memorial  
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 Maryland Veterans Memorial 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 573 – Delegates Hubbard, Braveboy, Frush, Pena–Melnyk, and  
Wood**

AN ACT concerning

**Fertilizer Use Act of 2011**

FOR the purpose of altering certain specialty fertilizer labeling requirements; removing the exemption for certain contractors, salespersons, employees, and other agents of certain contractors from a certain prohibition; requiring the Department of Agriculture, in consultation with the University of Maryland, to establish a professional fertilizer applicator certification program in accordance with certain requirements; requiring the Department to publish and maintain a certain list; requiring the Department, in consultation with the University of Maryland, to develop a certain public education program; requiring the University of Maryland to identify certain laboratories; requiring the University of Maryland to revise certain guidelines in accordance with a certain schedule; providing the Department with exclusive authority to establish certain standards; prohibiting a local government entity from adopting certain laws, regulations, rules, or ordinances; establishing certain maximum limits for nitrogen and phosphorus in certain specialty fertilizer under certain circumstances; prohibiting a person from selling at retail certain specialty fertilizer; prohibiting a person from applying certain fertilizer to certain surfaces under certain circumstances; authorizing a person to apply certain fertilizer under certain circumstances; establishing certain penalties for certain

violations; authorizing a county or municipality to enforce certain provisions of law; authorizing the Department to adopt certain regulations; requiring the Department to adopt certain regulations on or before a certain date; prohibiting a professional fertilizer applicator from applying certain fertilizer without first obtaining a certain certification; prohibiting a professional fertilizer applicator from using or applying certain fertilizer under certain circumstances; providing for delayed effective dates for certain provisions of this Act; defining certain terms; and generally relating to the use of fertilizer in the State.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 6–201, 6–210(d), 6–222(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Agriculture

Section 6–223, 6–224, 6–225, 6–226, 6–227, and 6–228

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 574 – Delegates Waldstreicher, Anderson, Barkley, Carr, Dumais, Glenn, Lee, Malone, Mitchell, B. Robinson, Simmons, Smigiel, and Washington**

AN ACT concerning

**Punitive Damages – High-Risk Drunk Drivers**

FOR the purpose of authorizing a finder of fact to determine that a person with a certain alcohol concentration in the blood or breath of the person who causes personal injury or wrongful death while driving or attempting to drive a motor vehicle was acting with malice and award punitive damages under certain circumstances; requiring a party who seeks to recover punitive damages under this Act to plead certain facts with particularity; providing for a standard of proof of clear and convincing evidence for a claim of punitive damages under this Act; providing that punitive damages under this Act may not be awarded in the absence of an award of compensatory damages; providing that evidence of the defendant's financial means is not admissible until there has been a finding of liability and that punitive damages under this Act are supportable under the facts; authorizing a motor vehicle insurer to exclude coverage for an award of punitive damages under this Act; providing that an exclusion of certain coverage for punitive damages does not constitute a reduction in coverage by a motor vehicle liability insurer; defining a certain term; providing for the application of this Act; and generally relating to authorizing a finder of fact to

determine that a person who causes personal injury or wrongful death while driving or attempting to drive with a certain alcohol concentration in the blood or breath of the person was acting with malice and award punitive damages under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings

Section 10–913.1

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 575 – Delegates McConkey, Dwyer, Eckardt, Kipke, Pena–Melnyk, and V. Turner**

AN ACT concerning

**Maryland Medical Assistance Program – Redeterminations of Eligibility for Program Recipients in Nursing Facilities**

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop and implement a streamlined process for the annual redetermination of eligibility for certain Maryland Medical Assistance Program recipients on or before a certain date; requiring the Department to report on the development and implementation of the streamlined process to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the Maryland Medical Assistance Program.

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

**House Bill 576 – Delegates Krebs, Afzali, Boteler, Cluster, Dwyer, Eckardt, Elliott, Frank, George, Glass, Haddaway–Ricchio, Hershey, Hogan, Hough, Impallaria, Kach, McComas, McConkey, McMillan, W. Miller, Minnick, Myers, Norman, Ready, Schuh, Schulz, Serafini, Stocksdales, Vitale, and Wood**

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.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 9–105(e)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 577 – Delegate Anderson (By Request – Baltimore City Administration)**

AN ACT concerning

**Vehicle Laws – Parking Violations – Administrative Enforcement by Counties and Municipal Corporations**

FOR the purpose of authorizing a county or municipal corporation, by ordinance, to establish an alternative enforcement program for the issuance of civil parking citations for violations of certain restrictions on the stopping, standing, or parking of vehicles; establishing certain requirements for an ordinance adopted under this Act; requiring an ordinance adopted under this Act to provide for a certain judicial review in the circuit court; requiring an ordinance adopted under this Act to provide for certain remedies; requiring an ordinance adopted under this Act to require a certain agency or board to provide a certain notification to the Motor Vehicle Administration; requiring the Administration to treat the failure to pay a certain fine, request a certain adjudication, or appear at a certain adjudication in a certain manner; establishing that a civil parking citation issued under a certain ordinance is not a civil citation subject to the jurisdiction of the District Court; establishing that an adjudication of a certain civil parking citation is not a criminal conviction and does not impose certain liabilities; establishing that the owner of a rental vehicle is not liable for a certain penalty except under certain circumstances; establishing that a certain person may appeal to the circuit court in a certain manner from certain civil parking citations; establishing that a certain appeal shall be made on the record supplemented by additional evidence taken in a certain manner; authorizing a board or agency to modify a decision under certain circumstances; authorizing the Court of Appeals to adopt certain procedures; establishing that the District Court does not have jurisdiction over certain civil parking citations; providing that certain provisions limiting the authority of local jurisdictions over the Maryland Vehicle Law do not apply to an ordinance adopted in accordance with this Act; prohibiting the Administration from registering or transferring the registration of a vehicle under certain circumstances; authorizing the Administration to suspend the registration of a vehicle under certain circumstances; establishing that certain provisions relating to the disposition and records of traffic citations do not affect or modify certain procedures established under an ordinance adopted in accordance with this Act; providing that certain provisions relating to violations of license restrictions or rules or regulations adopted under the Maryland Vehicle Law do not apply to an

ordinance adopted in accordance with this Act; providing for the application of an ordinance adopted under this Act; and generally relating to the enforcement of parking violations.

BY adding to

Article – Courts and Judicial Proceedings

Section 4–402(g); and 12–801 to be under the new subtitle “Subtitle 8. Review of Decisions of Local Adjudicatory Boards”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–1003, 25–102(a)(1), and 26–301(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 26–301(d), 26–303, 26–305(a) and (b), 26–407(a), and 27–102

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation

Section 26–301.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 578 – Delegates Hammen, Clippinger, and McHale**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Habitat for Humanity of the Chesapeake**

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 Habitat for Humanity of the Chesapeake, 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 579 – Delegates Hammen, Clippinger, and McHale**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City – The Powerhouse**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the name of a certain grantee to the Board of Trustees of the Living Classrooms Foundation, Inc.; extending the deadline for the grantee to present evidence that a certain matching fund will be provided; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

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(AD) and Item ZA02(AD)

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

**House Bill 580 – Delegates Rosenberg, Cullison, Elliott, Frank, Oaks, Pena–Melnyk, and Tarrant**

AN ACT concerning

**State Government – Human Relations – Discrimination in Housing, Employment, and Places of Public Accommodation**

FOR the purpose of making certain provisions of law related to discrimination by a place of public accommodation applicable to a certain Internet Web site of a certain business entity; prohibiting an owner or operator of a place of public accommodation from refusing, withholding from, or denying to any person the services of the place of public accommodation because of certain characteristics of the person; providing that each time a person is affected by a certain discriminatory act is a separate violation; making certain provisions of law related to enforcement applicable to alleged discrimination by a place of public accommodation; authorizing certain remedies for discrimination by a place of public accommodation; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of transportation services; establishing the venue for certain actions; altering the definition of “disability” for purposes of provisions of law relating to discrimination in employment and housing; defining certain terms; requiring an Internet Web site created and made available to the public before a certain date to be made accessible to the blind and visually impaired on or before a certain date; requiring an Internet Web site created or substantially revised on or after a certain date to be accessible to

the blind and visually impaired on or before a certain date; making conforming changes; and generally relating to prohibiting discrimination in housing, employment, and places of public accommodation.

BY renumbering

Article – State Government  
Section 20–101(e) and (f), respectively  
to be Section (f) and (g), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 20–101(a), 20–601(a), and 20–701(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–301, 20–304, 20–601(b), 20–701(b), 20–1001, 20–1006(b), 20–1007(a)  
and (b), 20–1009, 20–1012(a) and (b), and 20–1017  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 581 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Displaced Homemakers Program – Evaluation and Report**

FOR the purpose of making it discretionary, rather than mandatory, for the Secretary of Human Resources to evaluate periodically the programs of a certain multipurpose service center for displaced homemakers and to report annually to the General Assembly on the center and its programs.

BY repealing and reenacting, with amendments,  
Article – Family Law

Section 4–612  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 582 – Delegates Rosenberg and Clippinger**

AN ACT concerning

**Crimes – Electronic Communications – Harassment**

FOR the purpose of altering the prohibition against using electronic mail with the intent to harass to specify the intent to annoy, abuse, torment, or embarrass; altering the definition of “electronic mail”; and generally relating to harassment prohibitions.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–804  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–805  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 583 – Delegates Rosenberg, Feldman, and Kramer**

AN ACT concerning

**Tobacco Products – Distribution – Requirements**

FOR the purpose of prohibiting the distribution of tobacco products to minors except in certain circumstances; requiring photo identification checks in connection with the distribution of tobacco products to minors; prohibiting tobacco product retailers from storing or displaying tobacco products unless the tobacco products are stored, displayed, and accessed in a certain manner; prohibiting a tobacco product retailer from distributing cigarettes unless the packages of cigarettes contain at least a certain number of cigarettes; prohibiting a tobacco product retailer from distributing tobacco products for free; establishing a certain civil penalty; authorizing the issuance of a certain civil citation under certain circumstances; providing that this Act does not preempt any county or

municipal law that regulates tobacco products; repealing certain provisions of law relating to the regulation of tobacco products in vending machines; defining certain terms; stating the intent of the General Assembly as to certain provisions of this Act; and generally relating to requirements for the distribution of tobacco products.

BY repealing

Article – Business Regulation

Section 16–3A–01 through 16–3A–03 and the subtitle “Subtitle 3A. Tobacco Product Vending Machines”

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 24–1601 through 24–1608 to be under the new subtitle “Subtitle 16. Distribution of Tobacco Products”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 584 – Delegate James**

AN ACT concerning

#### **Harford County – Taxes**

FOR the purpose of authorizing Harford County to impose a hotel rental tax at a certain rate; requiring a hotel located in Harford County to collect the tax and to file a certain tax return and pay taxes collected on or before a certain date each month; requiring Harford County to distribute the hotel rental tax revenue in a certain manner; authorizing the governing body of Harford County to provide an exemption from the hotel rental tax for transient charges paid by certain organizations to provide temporary shelter for certain individuals; providing that in Harford County unpaid hotel rental tax is a lien against the real and personal property of the person owing the tax; requiring the governing body of Harford County and the governing body of a municipal corporation in Harford County to provide, by law, for a credit against the county and municipal corporation property tax imposed on certain property owned by and used in connection with a continuing care facility; defining certain terms; providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; and generally relating to certain taxes imposed in Harford County.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–301, 9–310, 9–318(a), and 9–325

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–302, 9–303(a), 9–308, 9–309, 9–311, 9–314 through 9–317, 9–321  
through 9–324, and 9–326  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–304(e), 9–305(e), and 9–318(b)(9)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–314(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 585 – Delegates Olszewski, Kach, Kipke, and W. Miller**

AN ACT concerning

**Family Investment Program – Eligibility – Drug Testing**

FOR the purpose of requiring individuals applying for or receiving temporary cash assistance benefits under the Family Investment Program to comply with certain eligibility requirements related to drug testing; authorizing temporary cash assistance benefits that have been terminated to resume under certain circumstances; requiring an addictions specialist to notify the Family Investment Program case manager if an applicant or recipient does not complete certain drug testing; requiring an addictions specialist to take certain actions under certain circumstances and in a certain manner; authorizing certain individuals to reapply for temporary cash assistance in a certain manner; requiring a local department to reduce temporary cash assistance benefits under certain circumstances; prohibiting a local department from paying temporary cash assistance to certain applicants under certain circumstances; requiring a local department to make temporary cash assistance benefits payments to a third party payee or a compliant adult recipient under certain circumstances; defining a certain term; and generally relating to eligibility for the Family Investment Program and drug testing.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–101(f)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5–301, 5–308, 5–312, and 5–314  
Annotated Code of Maryland  
(2007 Volume and 2010 Supplement)

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

**House Bill 586 – Delegates Gilchrist, Schuh, Barkley, Ivey, and A. Miller**

AN ACT concerning

**Income Tax – Subtraction Modification for Retirement Income**

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income; including income from certain retirement plans within a certain subtraction modification 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  
(2010 Replacement Volume)

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

**House Bill 587 – Delegate Feldman**

AN ACT concerning

**Biotechnology Investment Tax Credit – Application and Approval Procedures**

FOR the purpose of requiring that an application for the biotechnology investment tax credit state the amount of the proposed investment; modifying the application approval process under the credit to treat all first-day applicants as if applications were delivered simultaneously for purposes of distributing the tax credit; repealing a certain limitation on the credit allowed to a qualified

investor; altering a certain recapture provision under the credit; defining a certain term and modifying a certain definition under the credit; providing for the application of this Act; and generally relating to the Maryland Biotechnology Investment Tax Credit.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–725  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 588 – Delegates George, Anderson, Beidle, Conaway, Dumais, Dwyer, Frush, Gaines, Glass, Haddaway–Riccio, Hogan, Kipke, Love, McDermott, O’Donnell, Parrott, Smigiel, Sophocleus, Vitale, Waldstreicher, and Walker**

AN ACT concerning

**Criminal Law – Identity Theft – Use of Radio Frequency Identification Reader**

FOR the purpose of prohibiting the use of a certain device to read personal identifying information from a radio frequency identification chip of a radio frequency identification document or credit card to commit identify theft; altering certain definitions; defining certain terms; and generally relating to the use of a radio frequency identification reader in identify theft.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(a) and (d)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 8–301(b), (c), (e), (f), and (g)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 589 – Delegates Davis, Barkley, Braveboy, Haddaway–Riccio, Harrison, Impallaria, Jameson, Kramer, W. Miller, Schuh, Stifler, and Vaughn**

AN ACT concerning

**Unemployment Insurance – Messenger Service Drivers – Delivery**

FOR the purpose of authorizing certain messenger service drivers whose work is not covered employment under unemployment insurance law to deliver certain items and use certain methods of delivery; and generally relating to the delivery of certain items by messenger service drivers under unemployment insurance law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–206(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 590 – Delegate Davis**

EMERGENCY BILL

AN ACT concerning

**Public Service Commission – Certificate of Public Convenience and  
Necessity – Renewable Source Generator Lead Line**

FOR the purpose of requiring a person to obtain a certificate of public convenience and necessity prior to beginning construction in the State of a qualified generator lead line; requiring the Public Service Commission to provide an opportunity for public comment and hold a certain public hearing on a certain application; requiring the Commission to take a final action on a certain application only under certain circumstances; defining a certain term; making this Act an emergency measure; and generally relating to a certificate of public convenience and necessity for a renewable source generator lead line.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–207(a), (b), (d), and (e)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 591 – Delegates Barkley and Krebs**

CONSTITUTIONAL AMENDMENT



AN ACT concerning

**Transportation Trust Fund – Transfer or Diversion of Funds – Voter Approval**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; authorizing the General Assembly to transfer or divert funds from the Transportation Trust Fund for a purpose not related to transportation if approval is granted through a referendum authorized by an act of the General Assembly; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund except in certain circumstances; requiring that funds in a certain account in the Transportation Trust Fund be distributed in a certain manner; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

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

**House Bill 592 – Delegates Davis and Vaughn**

AN ACT concerning

**Common Interest Community Managers – Licensing and Regulation**

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and for meetings of the Board; authorizing the Board to sue in the name of the State, with the approval of the Attorney General, to enjoin certain conduct; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board before the individual may provide certain management services to common interest communities in the State; authorizing a common interest community manager to provide management services to a common interest community through certain forms of business organization; establishing certain education and examination

requirements for a license; requiring common interest community managers to obtain and maintain a certain fidelity bond or a certain insurance policy; providing for the application, term, renewal, and reinstatement of licenses; authorizing the Board to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing procedures and rights to judicial review; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees based on certain calculations; prohibiting certain fees from increasing by more than a certain amount each year; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms of the initial members of the Board; providing for the application of this Act; defining certain terms; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community management.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (34), respectively  
to be Section 2–108(a)(11) through (35), respectively  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(14) through (68), respectively  
to be Section 8–403(b)(15) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 22–101 through 22–402 to be under the new title “Title 22. Common  
Interest Community Managers”  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Business Regulation

Section 2–106.7, 2–106.8, and 2–108(a)(10)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 593 – Delegates Mitchell, Haynes, and Stukes**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Town Theatre 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 Everyman Theatre, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; 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 594 – Delegates McDermott, Afzali, Aumann, Bates, Boteler, Cluster, Costa, Dwyer, Eckardt, Elliott, Frank, George, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, Kach, Kipke, Krebs, McComas, McDonough, A. Miller, W. Miller, Minnick, Norman, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Tarrant, Valderrama, Vitale, and Weir**

AN ACT concerning

**Criminal Procedure – Tier III Sex Offenders – Tracking Device as a Condition of Probation and for Life After Release from Custody**

FOR the purpose of requiring a court to require a certain defendant, as a condition of probation, to register for certain electronic tracking by the Department of Public Safety and Correctional Services; authorizing a court to specify geographic locations to which certain defendants may not travel as a condition of probation; requiring a certain person who is required to register as a tier III sex offender to register for electronic tracking with the Department and, after release from custody of a supervising authority, to wear at all times and for a certain period

of time an electronic tracking device provided by the Department; requiring the Department actively, and in real time, to track electronically and to identify a certain individual's geographic location; requiring the Department to report to the appropriate court or law enforcement agency a certain individual's presence in a certain area; requiring the Department to develop certain procedures to determine, investigate, and report a certain individual's noncompliance with the terms and conditions of a court order or statute; requiring the Department to investigate immediately reports of noncompliance with a court order or statute; requiring the Department to contract with a local law enforcement agency to assist in the location and apprehension of certain individuals; requiring the Department to establish a reasonable fee for the cost of electronically tracking and, subject to a certain exception, to collect the fee from certain individuals; prohibiting a certain offender from knowingly failing to register under this Act, knowingly failing to wear a certain electronic tracking device, or knowingly altering, tampering with, damaging, or destroying a certain electronic tracking device; providing penalties for a violation of this Act; defining certain terms; and generally relating to electronic tracking of and movement restrictions on certain offenders.

BY adding to

Article – Criminal Procedure

Section 6–233; and 11–7A–01 through 11–7A–04 to be under the new subtitle  
“Subtitle 7A. Electronic Tracking of Sexual Offenders”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–707

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 595 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers – Summary  
Suspension of Licenses, Records, and Inspections**

FOR the purpose of requiring a licensed secondhand precious metal object dealer to provide certain notification to a certain local law enforcement unit before engaging in certain precious metal object transactions; authorizing the Secretary of Labor, Licensing, and Regulation to summarily suspend in a certain manner the license of a dealer who is convicted of or pleads guilty or

nolo contendere to certain crimes; authorizing the Secretary to revoke the license of a dealer under certain circumstances; authorizing the Secretary to designate by regulation additional items for which a pawnbroker must make a certain written record; altering the information about certain transactions that a dealer must record; requiring an item to be tagged for the period it remains in storage; clarifying that a dealer is required to allow inspection by law enforcement personnel of precious metal objects or applicable records; and generally relating to licensing of secondhand precious metal object dealers and records and inspections of precious metal objects.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–206, 12–301, 12–302(a), and 12–306  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Business Regulation  
Section 12–209.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 596 – Delegate Davis**

AN ACT concerning

#### **Electric Companies and Gas Companies – Customer Account Information**

FOR the purpose of requiring an electric company, a gas company, or an electric and gas company, on a certain request by a certain competitive supplier of electricity or gas, to provide certain information related to certain customer accounts to the supplier, subject to certain restrictions; requiring the distribution utility to provide the information in a certain form and to update it periodically; prohibiting a distribution utility from providing certain information without the prior authorization of a certain customer; providing the method by which a distribution utility must obtain the customer's authorization, including requiring certain notice to be provided containing certain information; requiring the notice to be provided to certain customers at certain times; establishing when a customer is deemed to have given certain authorization; authorizing a customer to withdraw authorization in a certain manner; requiring a distribution utility to ensure that certain information is not shared under certain circumstances; requiring a distribution utility to notify a certain competitive supplier that a certain customer has withdrawn certain authorization; requiring a competitive supplier to redact certain information from its records under certain circumstances and refrain from contacting a

certain customer in a certain manner under certain circumstances; requiring the Public Service Commission to allow a distribution utility to recover certain costs directly from a competitive supplier; providing that a competitive supplier may use certain information only for a certain purpose; prohibiting a competitive supplier from selling or providing certain information to any other person, with a certain exception; authorizing a competitive supplier to provide certain information to an authorized agent for a certain purpose; providing that the authorized agent is subject to the same restrictions on the use, sale, or provision of the information as the competitive supplier; requiring a certain competitive supplier to include certain information in certain marketing materials sent to certain customers; providing for the application of this Act to certain gas suppliers under certain provisions of law; providing that this Act does not apply to an electric cooperative or a gas cooperative; defining certain terms; and generally relating to electricity, gas supply, and customer account information.

BY adding to

Article – Public Utilities  
Section 7–510.1 and 7–604(c)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 597 – Delegate Davis**

AN ACT concerning

#### **Public Service Commission – Customer Education on Customer Choice**

FOR the purpose of requiring the Public Service Commission to educate consumers about customer choice in accordance with a certain provision of law; requiring the Commission to host a certain section on its Web site related to customer choice; requiring the Web site to comply with certain standards and to include certain information; requiring the Commission to maintain a certain secure portal on its Web site to receive certain information from certain electricity suppliers; requiring certain electricity suppliers to submit certain information to the Commission through the secure portal at certain intervals; requiring the Commission to work with certain media outlets to develop and air certain public service announcements related to customer choice; requiring the Commission to recover certain costs in accordance with a certain provision of law; requiring the Commission to submit a certain report to the General Assembly each year by a certain date; requiring the Commission to convene a certain workgroup for a certain purpose; providing for the membership and duties of the workgroup; requiring the workgroup to report to the Commission and certain committees by a certain date; requiring the Commission to implement certain recommendations by a certain date; and generally relating to customer choice.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–504 and 7–505(a)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Public Utilities  
Section 7–510.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 598 – Delegate Davis**

AN ACT concerning

#### **Injured Workers' Insurance Fund – Employee Compensation**

FOR the purpose of providing that employees of the Injured Worker's Insurance Fund are not subject to certain laws, regulations, or executive orders governing State employee compensation; clarifying that certain employees are not in the State Personnel Management System; repealing a requirement that the Board for the Fund set compensation for its employees in accordance with the State pay plan; and generally relating to compensation of employees of the Injured Workers' Insurance Fund.

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 10–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 599 – Delegates Waldstreicher and Rosenberg**

AN ACT concerning

#### **Courts and Judicial Proceedings – Use of Tracking Device by Law Enforcement Officer – Court Order**

FOR the purpose of prohibiting, except in certain circumstances or if a certain court order has been issued, an investigative or law enforcement officer from using a certain tracking device to determine the location or movement of another

individual or object for more than a certain period; establishing penalties for a violation of this Act; authorizing an investigative or law enforcement officer to make a certain application for a court order; requiring a court to enter a certain order under certain circumstances; requiring a certain person to furnish certain assistance to an investigative or law enforcement officer under certain circumstances; providing for the construction of this Act; establishing a complete defense against certain civil or criminal actions; providing for the application of this Act; defining a certain term; and generally relating to the use of tracking devices by law enforcement officers.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–4B–01 through 10–4B–05  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 10–4B–06  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 600 – Delegates Hammen, Hubbard, Bromwell, Clippinger, Costa, Donoghue, Elliott, Kach, Kipke, McDonough, McHale, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, and V. Turner**

AN ACT concerning

**Health Care Providers – Investigations – Information Sharing Among State Agencies**

FOR the purpose of adding to the list of entities to which the Health Services Cost Review Commission may disclose certain physician information; altering the list of entities that may be medical review committees charged by law to evaluate certain matters relating to health care providers; requiring the Board of Physicians to disclose information contained in a record to the Secretary of Health and Mental Hygiene and certain agencies for a certain purpose; making a certain technical change; and generally relating to sharing information among State agencies for purposes of investigating health care providers, health care quality, and utilization of health care.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–218  
Annotated Code of Maryland



(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–401 and 14–411(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–411(a), (b), and (c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 601 – Delegates Olszewski, Minnick, and Weir**

AN ACT concerning

**Sustainable Communities Tax Credit Program – Eligibility**

FOR the purpose of altering the Sustainable Communities Tax Credit Program to allow the Director of the Maryland Historical Trust to accept a commercial rehabilitation tax credit application for which the proposed rehabilitation work has begun if the rehabilitation work is approved under the federal historic tax credit; and generally relating to the Sustainable Communities Tax Credit Program.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 5A–303(b)(4)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 602 – Delegates Summers, Clippinger, Conaway, Cullison, Holmes, Kaiser, Luedtke, A. Miller, B. Robinson, Ross, F. Turner, and Washington**

AN ACT concerning

**Environment – Recycling Pilot Program – Transit Stations**

FOR the purpose of requiring the Office of Recycling in the Department of the Environment, in consultation with the Department of Transportation, to establish and administer a certain recycling pilot program at certain transit stations in the State; providing for the termination of this Act; defining a certain term; and generally relating to the Transit Station Recycling Pilot Program.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(o)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1702(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1702(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Environment  
Section 9–1733 to be under the new part “Part V. Transit Station Recycling Pilot Program”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 603 – Delegates Summers, Clippinger, Conaway, Cullison, Luedtke, Niemann, B. Robinson, F. Turner, V. Turner, and Washington**

AN ACT concerning

**Maryland Energy Administration – Clean Energy Loan Payment Program**

FOR the purpose of establishing a Clean Energy Loan Payment Program in the Maryland Energy Administration; stating the purpose of the Program; providing for the duties of the Administration related to the Program; requiring the Program to require a property owner to repay certain loans through a surcharge on the owner’s property tax bill; prohibiting the amount of the loan from exceeding a certain percentage of the assessed value of a certain property;

requiring that the surcharge be limited to a certain amount; providing that a person who acquires property subject to a certain surcharge assumes the obligation to pay the surcharge; requiring the Administration to adopt certain regulations; prohibiting loans under the Program unless certain conditions are met; authorizing a certain secured party to collect and hold in escrow certain payments due on certain loans in a certain manner; providing that a certain surcharge, including interest and penalties, constitutes a lien against a certain property; providing that a certain lien is effective against a certain person; providing that a certain lien is not effective against any third party unless certain notice of the lien is recorded and indexed in a certain manner; providing that a certain lien does not have priority over prior secured interests; requiring the notice of a certain lien to contain certain information; requiring a certain clerk of a certain court to take certain action on the presentation of a release of a certain lien; limiting the liability of certain loan assessment in certain property foreclosures; prohibiting the outstanding balance of a loan from being accelerated or made due in full; establishing a Clean Energy Loan Payment Fund as a special, nonlapsing 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 sources of funding for the Fund; providing for the uses of the Fund; requiring the State Treasurer to invest the Fund in a certain manner; providing that the Mayor and City Council of Baltimore or the governing body of a county is not required to pass any law to incorporate a certain surcharge into the property tax bill or to collect a certain surcharge; defining certain terms; and generally relating to the Clean Energy Loan Payment Program.

BY adding to

Article – State Government

Section 9–20C–01 through 9–20C–10 to be under the new subtitle “Subtitle 20C.  
Clean Energy Loan Payment Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 6–201

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 604 – Charles County Delegation**

AN ACT concerning

**Charles County – Board of Elections – Membership**

FOR the purpose of increasing the number of regular members and eliminating substitute members on the Charles County Board of Elections; requiring the members of the board to be of certain political parties; requiring that a vacancy on the board be filled in a certain manner; making a stylistic change; and generally relating to the Charles County Board of Elections.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2–201(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201(l)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

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

**House Bill 605 – Delegates Mitchell, Anderson, Branch, Clippinger, Conaway, Glenn, Haynes, McIntosh, Oaks, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

EMERGENCY BILL

AN ACT concerning

**Indoor Smoking Prohibition – Exception – Cigar Bars – Baltimore City**

FOR the purpose of providing that the prohibition against smoking in certain indoor areas does not apply to certain cigar bars in Baltimore City that meet certain requirements; extending the termination date for certain waivers granted to cigar bars in Baltimore City that meet certain requirements; providing for the application of certain provisions of this Act; making this Act an emergency measure; and generally relating to cigar bars in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 24–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

Section 24–505 and 24–509(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 606 – Delegates Anderson, Alston, Branch, Braveboy, Carr, Conaway, Dumais, Glenn, Gutierrez, Kaiser, McIntosh, Mitchell, Nathan–Pulliam, Niemann, Oaks, Rosenberg, Ross, Smigiel, V. Turner, Waldstreicher, and Washington**

AN ACT concerning

**Criminal Law – Marijuana – Use or Possession of Small Amount**

FOR the purpose of limiting the application of certain criminal penalties for the use or possession of marijuana to a violation involving not less than a certain quantity of marijuana; establishing that the use or possession of a certain quantity of marijuana is a civil offense; establishing that a person who violates the prohibition against the use or possession of a certain quantity of marijuana shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the District Court to prescribe a certain form of citation; requiring a certain citation to contain certain information; requiring the jurisdiction that issues a certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a person may comply with a certain summons to appear in a certain manner; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; providing that an individual who is at least 18 years old is subject to certain provisions of this Act; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; establishing certain penalties for a certain violation of this Act; requiring the Chief Judge of the District Court to establish a certain schedule for the prepayment of fines; authorizing a court to direct the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State’s Attorney to prosecute a certain violation in a certain manner; establishing that a violation of a certain provision of this Act is a violation for certain purposes; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; and generally relating to the use and possession of marijuana.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 5–601.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–01(dd) and 3–8A–33(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 607 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Customer Notices**

**MC/PG 102–11**

FOR the purpose of authorizing the Washington Suburban Sanitary Commission to enter on certain real property, the common area of a certain multifamily building, or a certain commercial building at certain times to post a certain notice on or near the entry door of the building or unit under certain circumstances; and generally relating to customer notices of the Washington Suburban Sanitary Commission.

BY adding to  
Article – Public Utilities  
Section 24–107  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 608 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Pipeline Construction –  
Contracts**

**MC/PG 104–11**

FOR the purpose of expanding the definition of a “facilities construction contract” to include the construction of a pipeline in order to authorize the Washington Suburban Sanitary Commission to enter into a certain design/build contract for pipeline construction; repealing a prohibition on the Commission from entering into a design/build contract for a pipeline; and generally relating to the authority of the Washington Suburban Sanitary Commission to enter into construction contracts.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 16–101(b) and 20–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 20–101(d) and 20–104(e)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 609 – Montgomery County Delegation and Prince George’s County  
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Residential Rental Property –  
Delinquency – Receiver**

**MC/PG 106–11**

FOR the purpose of authorizing the Washington Suburban Sanitary Commission or certain persons to institute an action for receivership in certain cases of delinquency in accounts for water and sewer usage provided to a residential rental property in the sanitary district under certain circumstances; establishing a certain procedure for petitioning a circuit court for appointment of a receiver; requiring a certain court to issue a certain show cause order to certain persons under certain circumstances; requiring the show cause order to

be posted and served in certain manners; requiring the court to conduct a certain hearing within a certain period of time; authorizing a receiver to receive certain money and to take certain actions; requiring a receiver to establish an escrow account for certain purposes; requiring a receiver to pay certain charges from the escrow account; providing that certain persons are liable for certain fees and costs; providing for the termination of a receivership under certain circumstances; providing that certain actions may not be maintained against certain persons for a certain period under certain circumstances; providing for the application of certain rules to a receivership under this Act; defining certain terms; and generally relating to the Washington Suburban Sanitary Commission and delinquencies involving residential rental property.

BY adding to

Article – Public Utilities  
Section 25–504.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 610 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Montgomery County – County Police Authority, Metropolitan District Tax, and Transfer of Property**

**MC/PG 112–11**

FOR the purpose of providing that the Montgomery County police have certain additional concurrent authority with the Maryland–National Capital Park Police to enforce park regulations within the parks, buildings, and other areas under the jurisdiction of the Maryland–National Capital Park and Planning Commission; authorizing Montgomery County to levy a certain tax against real and personal property in the metropolitan district within Montgomery County; repealing a certain requirement that the Commission levy a certain tax against property in the metropolitan district within Montgomery County at certain tax rates; altering the method for determining the purposes for which proceeds of a certain tax may be used; requiring the Commission to provide to Montgomery County and Prince George’s County a list of certain property and assets primarily used by the Maryland–National Capital Park Police under certain circumstances; requiring the list to specify which property and assets are used primarily by the Montgomery County Division, Prince George’s County Division, or jointly used by both Divisions; providing for the transfer of certain property and assets from the Commission to the Montgomery County Police



Department, on request of the Montgomery County Council, including certain property or assets determined by the county councils of Montgomery County and Prince George's County as property and assets that should be transferred to the Montgomery County Police Department; and generally relating to the Maryland–National Capital Park and Planning Commission, Montgomery County police authority, and the Metropolitan District Tax.

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 5–114(a) and 6–106(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 611 – Montgomery County Delegation and Prince George's County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Human Resources**

**MC/PG 103–11**

FOR the purpose of repealing a requirement that the Washington Suburban Sanitary Commission submit changes of certain regulations to the Secretary of Budget and Management; repealing a provision stating that failure of the Secretary to act within a certain time period on receipt of a certain regulation constitutes approval; repealing a requirement that the Commission file a certain list of positions and salaries with the Secretary; repealing a requirement that the Commission submit for approval certain position classifications to the Secretary; repealing provisions requiring the Secretary to approve or disapprove certain changes; repealing certain provisions relating to competitive examinations held by the Commission; clarifying that certain honorably discharged veterans shall receive a certain credit in certain competitive selection processes; and generally relating to the human resources practices of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 18–105, 18–108, and 18–111  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing  
Article – Public Utilities  
Section 18–109, 18–110, 18–112, and 18–113

Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 612 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Maryland–National Capital Park and Planning Commission – District Council – Ethical Requirements**

**MC/PG 115–11**

FOR the purpose of providing that in Prince George’s County, for the purpose of creating a public record, the District Council shall review the actions taken by the planning board only relative to certain site development plans under certain circumstances; prohibiting any individual or entity from entering into any agreement to provide or receive for compensation or anything of value that is dependent in any manner on an action or decision by the County Council, District Council, planning board, or any agency or official of the county government; prohibiting a member of the District Council or an agent or employee of the County Council or District Council from recommending, suggesting, or proposing to any applicant for a development project in the county any specific individual or entity for inclusion in the applicant’s project; prohibiting the County Council or the District Council, or any member of those councils, from imposing, as a condition of approval of any application for rezoning, site plan approval, water and sewer system approval, or preliminary plan of subdivision, a requirement that the applicant provide monetary payments or anything of value to any specific individual or entity; providing for the construction of a certain provision of this Act; applying, in Prince George’s County, certain requirements of the State Ethics Law for lobbyists to persons engaging in certain lobbying or related activities concerning applications or matters pending before the District Council or planning board; prohibiting, in Prince George’s County, a person engaged on behalf of a certain applicant on a matter pending before the District Council or planning board from being compensated on a certain contingency basis; and generally relating to certain ethical requirements with respect to the Maryland–National Capital Park and Planning Commission and the District Council in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government

Section 15–713, 15–803, 15–806, 15–829(a), (c), (i), (j), and (k), and 15–844(a)  
and (d)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–845

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 613 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Prince George’s County – Capital Improvements Program Submission**

**MC/PG 111–11**

FOR the purpose of altering the date before which the Maryland–National Capital Park and Planning Commission is required to prepare and submit a 6–year capital improvements program to the county governing body of Prince George’s County; and generally relating to the submission of a 6–year capital improvements program to the county governing body of Prince George’s County by the Maryland–National Capital Park and Planning Commission.

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission

Section 2–118(b)(1)

Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 614 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Prince George’s County – Site Plan Approval Authority**

**MC/PG 114–11**

FOR the purpose of prohibiting the County Council for Prince George’s County, sitting as the district council, from reviewing decisions by the Prince George’s County Planning Board to approve or disapprove certain site plans except under certain circumstances; authorizing a party of record to appeal certain decisions by the Planning Board to the district council; prohibiting the district council from revoking certain delegations of approval authority made to the Planning Board by a certain date; authorizing the district council to revoke certain delegations of approval authority for the purpose of delegating that authority to the governing bodies of certain municipal corporations; and generally relating to site plan approval in Prince George’s County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–129  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 615 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Transfer of Single–Family Residential Real Property – Payment of Outstanding Charges and Costs**

**MC/PG 105–11**

FOR the purpose of prohibiting a person from transferring the title of certain single–family residential real property until a certain outstanding bill for water or sewer usage charges and certain other charges and costs are paid to the Washington Suburban Sanitary Commission; and generally relating to the prohibition against transferring the title of certain real property in the Washington Suburban Sanitary District until certain charges and costs are paid.

BY adding to

Article – Public Utilities  
Section 25–505.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 616 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Security Deposits on Customer Service Accounts****MC/PG 107–11**

FOR the purpose of authorizing the Washington Suburban Sanitary Commission to require the payment of a security deposit on a customer service account for water and sewer usage; requiring the Commission to adopt certain regulations governing security deposits; defining a certain term; and generally relating to security deposits on customer service accounts in the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities  
Section 25–504.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 617 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Maryland–Washington Metropolitan District and Regional District – Boundaries – City of Laurel****MC/PG 108–11**

FOR the purpose of altering a certain provision of law to provide that the boundaries of the Maryland–Washington Metropolitan District do not include the City of Laurel as its boundaries are defined as of a certain date; altering a certain provision of law to provide that the boundaries of the Maryland–Washington Regional District include all of Prince George’s County except the City of Laurel as its boundaries are defined as of a certain date; and generally relating to the boundaries of the Maryland–Washington Metropolitan District and the Maryland–Washington Regional District.

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission

Section 3–102(b) and 7–103  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 618 – Delegates Krebs, Olszewski, Afzali, Aumann, Barkley, Bates, Boteler, Cluster, Dwyer, Eckardt, Elliott, Frank, George, Glass, Hershey, Hogan, Hough, Impallaria, Kach, McComas, McConkey, McDermott, McMillan, W. Miller, Minnick, Myers, Norman, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdale, and Wood**

AN ACT concerning

**Taxpayer Protection Act – State Income Tax Consumer Price Index  
Adjustments**

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  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 10–105(e)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 619 – Delegates Frick, Barkley, Barve, Bobo, Boteler, Cardin, George, Guzzone, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Lee, Luedtke, A. Miller, Minnick, Mizeur, Murphy, Reznik, B. Robinson, Ross, Serafini, Stocksdale, Tarrant, F. Turner, Waldstreicher, and Wilson**

AN ACT concerning

**State Procurement – Banking Services Preference – Lend Local Act of 2011**

FOR the purpose of requiring the State Treasurer, when deciding whether to designate or make an agreement with a financial institution to provide certain

banking services to the State or an agency of the State, to consider whether the financial institution is incorporated under the laws of the State or is operating in the State with certain total assets; and generally relating to the procurement of banking services by the State.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–201(a), (b), (e), and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 620 – Delegate Frick**

AN ACT concerning

#### **Tax Credit Evaluation Act**

FOR the purpose of establishing a legislative review and evaluation process for certain credits allowed against certain taxes; establishing dates for review and other legislative action with regard to certain tax credits; providing for termination of certain tax credits under certain circumstances; repealing certain obsolete tax credits; providing for the construction of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to a legislative review and evaluation process for certain credits allowed against certain taxes.

BY adding to  
Article – Tax – General  
Section 1–301 through 1–311 to be under the new subtitle “Subtitle 3. Tax  
Credit Evaluation Act”  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing  
Article – Labor and Employment  
Section 11–1101 through 11–1107 and the subtitle “Subtitle 11. Job Creation  
and Recovery Tax Credit”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing

Article – Tax – General

Section 10–704.9, 10–713, 10–719, and 10–728

Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 621 – Delegates Haynes, Anderson, Branch, Carter, Clippinger, Conaway, Glenn, Gutierrez, Mitchell, Oaks, B. Robinson, Stukes, Tarrant, and Washington**

AN ACT concerning

**Fire Safety – High–Rise Buildings – Mobility Impaired Individuals**

FOR the purpose of requiring the owner of a residential high–rise building to provide a certain notice to individuals who are mobility impaired of the right to request certain rental units when certain units in the building become available; defining certain terms; and generally relating to fire safety in high–rise buildings.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 9–401

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

BY adding to

Article – Public Safety

Section 9–405

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

**House Bill 622 – Delegates Krebs, Boteler, Dwyer, Eckardt, Elliott, Frank, George, Glass, Haddaway–Ricchio, Hogan, Hough, Impallaria, Kramer, McComas, McDonough, McMillan, Murphy, Parrott, Schuh, Schulz, Stocksdale, Vitale, and Wood**

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; altering the determination of the maximum annual benefit under the Social Security Act for purposes of determining a certain offset for a certain subtraction modification; 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  
(2010 Replacement Volume)

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

**House Bill 623 – Delegates Rosenberg, Mizeur, and Ross**

AN ACT concerning

**Income Tax – Subtraction Modification – Student Loan Payments for  
Qualified Attorneys**

FOR the purpose of allowing a subtraction from the federal adjusted gross income of an individual to determine Maryland adjusted gross income for certain amounts paid by individuals employed in certain eligible fields of employment to repay certain legal education loans; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain amounts paid to repay certain legal education loans.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 624 – Delegates Rosenberg, Carter, Oaks, and Vaughn**

AN ACT concerning

**Baltimore City – Used Car Dealers – Sunday Operations**

FOR the purpose of authorizing in Baltimore City a used car dealer to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or certificate of title for a motor vehicle on Sunday, instead of Saturday, if the dealer notifies the Motor Vehicle Administration in advance that the dealer intends to conduct business on Sunday, instead of Saturday; and generally relating to Sunday operations of used car dealers in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 18–101  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 625 – Carroll County Delegation**

AN ACT concerning

**Carroll County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Carroll County to hunt deer on certain Sundays on private property with a bow and arrow during certain months; removing Carroll County from the list of counties in which deer hunting on private property on certain Sundays is prohibited; and generally relating to deer hunting on private property in Carroll County on Sunday.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 626 – Delegates Clippinger, Vallario, Alston, Anderson, Arora, Cluster, Dwyer, Hough, McComas, McDermott, Mitchell, Niemann, Olszewski, Parrott, Sophocleus, Summers, Valderrama, and Wilson**

AN ACT concerning

**Criminal Procedure – Petition for Writ of Actual Innocence – Circuit Court Jurisdiction**

FOR the purpose of limiting the eligibility for the filing of a petition for writ of actual innocence to a person convicted in circuit court of an offense that was within the exclusive original trial jurisdiction of that court, or an attempt, conspiracy, or solicitation to commit such an offense; and generally relating to petitions for writ of actual innocence.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–301(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 627 – Delegates Krebs, Afzali, Boteler, Dwyer, Eckardt, Elliott, Frank, George, Glass, Haddaway–Riccio, Hogan, Hough, Impallaria, Kach, McComas, McDonough, McMillan, Minnick, Murphy, Parrott, Schuh, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood**

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 shall be in effect even if the federal estate tax is not in effect on the date of the decedent’s death; 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, without amendments,  
Article – Tax – General  
Section 7–309(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(1), (2), and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 628 – Delegate Morhaim**

AN ACT concerning

**Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process**

FOR the purpose of establishing a Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process; providing for the membership, purposes, and staffing of the Commission; requiring the Commission to study certain matters; requiring the Commission to report to certain persons by a certain date; providing for the termination of this Act; and generally relating to the Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process.

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

**House Bill 629 – Delegates Hammen, Clippinger, McHale, and Morhaim**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Meals on Wheels Green Building**

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 Meals on Wheels 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 630 – Delegates Beidle and Vitale**

AN ACT concerning

**Building Standards – High-Performance Homes**

FOR the purpose of providing that the Department of Housing and Community Development, through certain measures, shall encourage the construction of new residential structures that are high-performance homes; defining a certain term; and generally relating to green building standards for homes.

BY adding to

Article – Public Safety  
Section 12–502(d)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 631 – Delegates Niemann, Barnes, Bobo, Braveboy, Cane, Frush, Gilchrist, Glenn, Healey, Holmes, Hucker, S. Robinson, Walker, and Wilson**

AN ACT concerning

**Condominiums and Homeowners Associations – Liability for Payment of Assessments – 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 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 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 assessments and charges due under certain circumstances; altering the scope of the Maryland Contract Lien Act; making stylistic changes; and generally relating to liens and the liability for the payment of assessments 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  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 11B–112.3  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 632 – Delegates Mizeur, Barkley, Bobo, Carr, Dumais, Frick, Gilchrist, Hixson, Ivey, Lafferty, Luedtke, A. Miller, Murphy, Reznik, Rosenberg, Ross, and F. Turner**

AN ACT concerning

**Earned Income Credit Information Act**

FOR the purpose of requiring the Comptroller to publish certain information 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 that an employee may not pursue a private cause of action against an employer for the employer's failure to provide certain notice; providing for the effective date 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  
(2010 Replacement Volume)

BY adding to

Article – Tax – General  
Section 10–913  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 633 – Delegate Griffith (Chair, Joint Committee on Pensions)**

**EMERGENCY BILL**

AN ACT concerning

**Pensions – Designation of Beneficiary – Powers of Attorney**

FOR the purpose of providing that the State Retirement Agency, Board of Trustees, and several pension systems are not subject to certain provisions of the Estates and Trusts Article; prohibiting the State Retirement Agency from accepting certain forms designating a beneficiary executed under a power of attorney unless the power of attorney contains certain provisions; defining certain terms; making this Act an emergency measure; and generally relating to acceptance of powers of attorney by the State Retirement Agency.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions  
Section 20–101(a) and (cc)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 20–210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 634 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Reemployment Earnings Offset –  
Retiree Health Care Premiums**

FOR the purpose of limiting a certain reemployment earnings offset for certain reemployed retirees of the State Retirement and Pension System to a certain amount under certain circumstances; requiring the Board of Trustees of the State Retirement and Pension System to recover a certain portion of certain retirement income from certain retirees of the State Retirement and Pension System under certain circumstances; 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 reemployment earnings offset for reemployed retirees of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(1), 23–407(c)(1), 24–405(a), and 25–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(2), 23–407(c)(2), 24–405(b), and 25–403(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 24–405(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 27–406(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

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

### **House Bill 635 – Delegate Dumais**

AN ACT concerning

#### **Child Support – Extraordinary Medical Expenses**

FOR the purpose of altering the definition of “extraordinary medical expenses” under the child support guidelines; providing for the application of this Act; and generally relating to child support.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 12–201(a) and 12–204(h), (l), and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–201(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 636 – Delegates Griffith, Holmes, and Vaughn**

AN ACT concerning

#### **Public Schools – State Aid for School Construction – Planning and Design Costs**



FOR the purpose of requiring the Board of Public Works to include the cost of planning and design as an approved public school construction or capital improvement cost; requiring the Board of Public Works, at the recommendation of the Interagency Committee on School Construction, to adopt certain regulations; providing for the application of this Act; providing for the termination of this Act; and generally relating to public school construction.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 637 – Delegate Feldman**

AN ACT concerning

#### **Limited Liability Company Act**

FOR the purpose of establishing the policy of certain provisions of law relating to limited liability companies; providing that a certain provision of law that may be changed by the terms of an operating agreement may also be changed by the terms of the articles of organization of a limited liability company; providing that a certain certificate representing the interest of a member of a limited liability company may only be issued in bearer form under certain circumstances; authorizing an operating agreement to require that an amendment to the agreement be approved by a certain person or on satisfaction of certain conditions; authorizing an operating agreement to establish the rights of certain persons; providing that, if an operating agreement provides the manner in which the agreement may be amended, then the agreement may be amended only in that manner; providing that a certain approval or condition for amending an operating agreement may be waived in certain circumstances; establishing that an amendment to an operating agreement is not required to be in writing, with certain exceptions; clarifying that an operating agreement is not unenforceable on the ground that there is only one party to the agreement; establishing that a limited liability company is not required to execute its operating agreement and is bound by the operating agreement regardless of whether the company has executed the agreement; establishing that each member and assignee of a member is bound by the operating agreement of a limited liability company regardless of whether the member or assignee executed the operating agreement; authorizing an operating agreement to provide that an action that otherwise requires unanimous consent may be taken without the consent of a member or members of the limited liability company; providing that an operating agreement may require the consent of certain persons who are not members of the limited liability company to take an action

requiring unanimous consent of the members; authorizing an operating agreement to expand, restrict, or eliminate certain duties; providing that, unless otherwise provided in an operating agreement, certain persons are not liable for breach of fiduciary duty for good faith reliance on the operating agreement; authorizing an operating agreement to provide for the limitation or elimination of certain liabilities; providing that a person may become a member of a limited liability company in accordance with a provision of law that authorizes the personal representative, successor, or assignee of the last remaining member to admit the person as a member of the limited liability company; clarifying that the admission of an assignee as a member of a limited liability company is governed by certain provisions of law relating to assignments; providing that the admission of a certain personal representative or successor is governed by a certain provision of law; providing that, unless otherwise provided in the operating agreement, an assignment of the interest of a person in a limited liability company entitles the assignee only to the assignor's share of profits, losses, and distributions; providing that, unless otherwise provided in the operating agreement, a member of a limited liability company ceases to be a member on assignment of all of the member's interest; providing that, unless otherwise provided in the operating agreement, a certain encumbrance in or against the interest of a member of a limited liability company does not cause the member to cease being a member or to have the power to exercise certain rights; altering the circumstances under which an assignee may become a member of a limited liability company; authorizing a certain creditor of a certain debtor holding an interest in a limited liability company to apply to a court for a certain order; authorizing a court to take certain actions on the application of a certain creditor in certain circumstances; authorizing, before a certain foreclosure, a certain interest to be redeemed with certain property; providing that this Act does not deprive a debtor of a certain right; providing that this Act provides the exclusive remedy by which a certain person may attach the interest or otherwise affect the rights of a member of a limited liability company; altering the circumstances under which a limited liability company may not be dissolved or required to wind up its affairs after the occurrence of certain conditions; making certain technical, stylistic, and clarifying changes; defining certain terms; and generally relating to limited liability companies.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 4A-101(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 4A-101(g), 4A-402, 4A-404, 4A-601, 4A-603, 4A-604, and 4A-902

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Corporations and Associations  
Section 4A–102, 4A–402.1, and 4A–607  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing

Article – Corporations and Associations  
Section 4A–607  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 638 – Delegates W. Miller, Afzali, Aumann, Bates, Cluster, Costa, Dwyer, Eckardt, Elliott, Fisher, George, Guzzone, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, K. Kelly, Kipke, McConkey, McDermott, McMillan, Minnick, Norman, O’Donnell, Olszewski, Otto, Ready, Schuh, Schulz, Serafini, Smigiel, Stifler, Stocksdale, and Szeliga**

AN ACT concerning

**Maryland Funding Accountability and Transparency Web Site – State Loans**

FOR the purpose of requiring the Department of Budget and Management to include on the Maryland Funding Accountability and Transparency Web site State loans in excess of a certain amount; and generally relating to the Maryland Funding Accountability and Transparency Web site.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 3A–313  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 639 – Delegates Cluster, Boteler, Clippinger, Hough, McComas, McDermott, and Smigiel**

AN ACT concerning

**Criminal Procedure – Parole – Eligibility**

FOR the purpose of increasing the minimum period that an inmate must be sentenced to serve before becoming eligible to be considered for an investigation by the Division of Parole and Probation or the Division of Correction to enable the Maryland Parole Commission to determine the advisability of granting parole to the inmate; and generally relating to the parole of inmates.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–301(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 640 – Delegates Olszewski, Arora, Frick, Hammen, Kaiser, Luedtke, and Reznik**

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 641 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Procurement and Minority Business Enterprises – WSSC Procurement Oversight Committee**

**MC/PG 113–11**

FOR the purpose of establishing a WSSC Procurement Oversight Committee; providing for the membership, terms, and duties of the Committee; requiring

the Washington Suburban Sanitary Commission to submit, on or before a certain date, a written report to the Committee demonstrating compliance with a certain minority business enterprise law; stating the findings of the General Assembly; requiring the Committee to report to certain delegations to the General Assembly on or before a certain date; and generally relating to the procurement activities and minority business enterprise participation of the Washington Suburban Sanitary Commission and the WSSC Procurement Oversight Committee.

BY adding to

Article – Public Utilities  
Section 20–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 642 – Delegates Olszewski, Cardin, DeBoy, Kach, Minnick, and Weir**

AN ACT concerning

**State Emblems – State Lighthouse – Millers Island Lighthouse**

FOR the purpose of designating Millers Island Lighthouse as the State lighthouse.

BY adding to

Article – State Government  
Section 13–322  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 643 – Delegate Carr**

AN ACT concerning

**Procurement – State Buildings – Energy Efficient Outdoor Lighting Fixtures**

FOR the purpose of prohibiting the use of State funds to install or replace a permanent outdoor luminaire for lighting on the grounds of any State building unless the luminaire meets certain requirements; providing certain exceptions to the requirements of this Act; authorizing the Board of Public Works or the Board's designee to waive the requirements of this Act under certain circumstances; requiring the Board to establish the requirements for a certain

waiver request; requiring the Board or the Board's designee to consider certain factors when considering a waiver request; defining certain terms; and generally relating to the use of energy efficient outdoor lighting fixtures on State buildings.

BY adding to

Article – State Finance and Procurement  
Section 14–411  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 644 – Delegates Valentino–Smith, Alston, Frush, Gaines, Healey, Hubbard, Ivey, Kaiser, A. Miller, Rosenberg, and Ross**

AN ACT concerning

**Education – County School Board Budgets – Transparency**

FOR the purpose of requiring county boards to develop and operate a certain Web site that includes certain information; specifying certain parameters of the Web site; defining a certain term; and generally relating to the development and operation of a searchable Web site by county boards.

BY adding to

Article – Education  
Section 5–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 645 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, McComas, and Stocksdale**

AN ACT concerning

**Charitable Organizations – Acceptance of Contributions from Countries or Other Entities Associated with Terrorist Organizations – 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 charitable

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; providing for the application of this Act; and generally relating to charitable organizations that accept contributions from certain countries or other entities.

BY adding to

Article – Business Regulation

Section 6–622

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 646 – Delegates Braveboy and Pena–Melnyk**

AN ACT concerning

#### **Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System**

FOR the purpose of establishing the Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System; providing for the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; providing that a member of the Task Force may not receive compensation as a member of the Task Force but is entitled to a certain reimbursement; requiring the Task Force to study certain issues and to make certain reports to the Governor and General Assembly; providing for the termination of this Act; and generally relating to the Task Force to Study High School Dropout Rates of Persons in the Criminal Justice System.

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

### **House Bill 647 – Delegate Braveboy**

AN ACT concerning

#### **Property and Casualty Insurance – Victims of Crimes of Violence – Discrimination Prohibited**

FOR the purpose of prohibiting insurers from using information about an individual's status as a victim of a crime of violence to take certain actions relating to a policy of property and casualty insurance; providing that an insurer may not deny payment to an innocent coinsured under certain circumstances; limiting payment to an innocent coinsured under certain circumstances; authorizing the Maryland Insurance Commissioner to take certain actions on a finding of

certain violations; defining certain terms; providing for the application of this Act; and generally relating to victims of crimes of violence and discrimination in property and casualty insurance.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–501(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 27–504.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–505(a)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 648 – Delegates Washington, Anderson, Arora, Clippinger, Cullison, Dumais, Feldman, Kaiser, A. Miller, Mizeur, B. Robinson, Summers, and Wilson**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **General Assembly – Senators – Age of Eligibility for Service**

FOR the purpose of amending the Maryland Constitution to alter the age at which a person may serve as a Senator in the General Assembly; making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 9

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

**House Bill 649 – Delegates Busch and Costa**



AN ACT concerning

**Creation of a State Debt – Anne Arundel County – South River High School  
Media Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$80,000, the proceeds to be used as a grant to the Board of Directors of the South River High School Community 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; 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 650 – Delegates Murphy, Kipke, Bohanan, Costa, Fisher, Frick, Frush, George, Gilchrist, Healey, Howard, Hubbard, Ivey, Jameson, Luedtke, Mizeur, Myers, O'Donnell, Ross, Schuh, Walker, Wilson, and Wood**

AN ACT concerning

**County Boards of Education – Green Product Cleaning Supplies – Written  
Policies**

FOR the purpose of requiring a county board of education to adopt certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions; requiring certain county boards to provide certain notice to the State Department of Education under certain circumstances; and generally relating to the establishment of written policies relating to the procurement of green product cleaning supplies by county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 651 – Delegate Kipke**

AN ACT concerning

**Anne Arundel County – Police Officers – Secondary Employment**

FOR the purpose of authorizing Anne Arundel County to enact a local law that authorizes secondary employment of county police officers; and generally relating to the secondary employment of county police officers in Anne Arundel County.

BY adding to

Article – State Government

Section 15–807.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 652 – Delegates Mizeur, Cullison, Frick, A. Kelly, Lee, and A. Miller**

AN ACT concerning

**Public Institutions of Higher Education – Course Credit – Advanced Placement and International Baccalaureate Examinations**

FOR the purpose of requiring public institutions of higher education in the State to grant comparable course credit for Advanced Placement and International Baccalaureate examinations under certain circumstances; and generally relating to Advanced Placement and International Baccalaureate examinations.

BY adding to

Article – Education

Section 15–101.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 653 – Delegate Niemann**

AN ACT concerning

**Lawyers – Bar Admission Requirement – Exception for Rent Escrow Proceedings**

FOR the purpose of providing an exception to certain requirements to practice law in the State for a person representing a landlord in a rent escrow proceeding in the District Court of Maryland and for a person representing a tenant in a rent escrow proceeding in the District Court of Maryland under certain circumstances; and generally relating to exceptions to the requirements to practice law in the State.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 10–206(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 10–206(b)(1) and (2)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 654 – Delegates Rosenberg and Hubbard**

AN ACT concerning

#### **Clinical Review Panels – Psychiatric Medication – Correctional Facilities**

FOR the purpose of providing that certain psychiatric medication may not be administered to certain individuals committed to the custody of a facility under the jurisdiction of the Department of Public Safety and Correctional Services except under certain circumstances; providing for the composition and appointment of certain clinical review panels; requiring certain officials to give certain written notice to certain individuals at a certain time; providing that an individual has certain rights during a meeting of a panel; authorizing the chair of a panel to take certain action; requiring a panel to take certain action before deciding whether to approve the administration of medication; authorizing a panel to approve the administration of medication and make certain recommendations under certain circumstances; requiring a panel to base certain decisions on certain information; authorizing a panel to meet privately to reach a decision; prohibiting a panel from approving the administration of medication under certain circumstances; requiring a panel to provide certain documentation; requiring a panel to provide a certain written decision to certain individuals; requiring a certain lay adviser to take certain action under certain circumstances; authorizing certain individuals to request a certain administrative hearing in a certain manner; requiring certain officials to forward certain hearing requests to the Office of Administrative Hearings within a certain time period; providing for a certain stay of a panel decision; requiring the Office to conduct a certain hearing and issue a decision in a certain time period; providing for the procedures to be followed at a hearing before the Office; authorizing a certain appeal of a decision of the Office; providing that certain treatment is subject to a certain approval period; authorizing a panel to make a certain renewal under certain circumstances; requiring certain physicians to document the known benefits and side effects of

certain medication under certain circumstances; requiring the Department to pay for certain legal representation under certain circumstances; requiring the Department to submit a certain annual report to the Governor and General Assembly; defining certain terms; and generally relating to clinical review panels and correctional facilities.

BY adding to

Article – Correctional Services  
Section 9–614  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 655 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, and Krebs**

AN ACT concerning

**Citizen’s Tuition Protection Act**

FOR the purpose of altering certain powers and duties of the presidents and certain governing bodies of certain public institutions of higher education relating to the setting of tuition; prohibiting certain public institutions of higher education from charging an undergraduate student who is a citizen of the United States a tuition rate that is higher than the tuition rate charged an undergraduate student who is not a citizen of the United States; requiring the governing body of certain institutions of higher education to adopt certain policies; defining certain terms; providing for the application of this Act; and generally relating to tuition charged by a public institution of higher education.

BY repealing and reenacting, with amendments,

Article – Education  
Section 12–109(e)(7), 14–104(j)(1), 14–404(e)(1)(v), 16–103(j), and 16–505(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Education  
Section 15–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 656 – Montgomery County Delegation**

AN ACT concerning

**Montgomery County – School Buildings – Exclusive Authority to Issue  
Permits and Enforce Regulations and Codes**

**MC 11–11**

FOR the purpose of granting the Montgomery County government exclusive authority to issue permits and enforce regulations and codes associated with the construction, remodeling, and placement of certain school buildings; defining a certain term; and generally relating to the authority of the Montgomery County government to issue permits and enforce regulations and codes associated with school buildings.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 657 – Delegate Holmes**

AN ACT concerning

**Drunk and Drugged Driving – Repeat Offenders – Special Registration Plates**

FOR the purpose of authorizing a court to require a person who has been convicted of certain drunk or drugged driving offenses a certain number of times to comply with certain requirements relating to the issuance of special registration plates; requiring the court to state certain facts on the record, provide a certain notice to the Motor Vehicle Administration, and direct the Administration to take certain actions; requiring the Administration, under certain circumstances, 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 “DUP”; requiring the Administration, under certain circumstances, 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 and 27–108.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–902  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 658 – Delegates Niemann and Holmes**

AN ACT concerning

#### **Public Service Commission – Sustainable Energy Utilities**

FOR the purpose of authorizing the Public Service Commission, with certain exceptions, to authorize certain sustainable energy utilities for a certain purpose in accordance with certain provisions; stating the intent of the General Assembly; prohibiting the Commission from granting a certain authorization unless the Commission makes certain determinations; requiring the Commission to authorize certain authorized sustainable energy utilities to enter into certain qualified contracts with certain individuals, directly bill certain individuals, and enforce payment under a certain qualified contract according to certain provisions; authorizing the Commission to limit certain authorizations in a certain manner or to authorize more than one sustainable energy utility to operate in a certain territory or offer certain products; requiring the Commission, by order or regulation, to establish the specific terms of a sustainable utility authorization, including certain terms; requiring a qualified contract to meet certain requirements established by the Commission and to include certain requirements; requiring the Commission, by first-class certified mail, to provide certain notice to certain secured parties; requiring the Commission, by regulation or order, to establish certain requirements for a certain qualified contract, including certain items; prohibiting a certain sustainable energy utility from entering into a certain qualified contract unless certain conditions have been met; providing that a property owner may subject property to a certain qualified contract by recording or authorizing the

recording of the qualified contract in a certain manner; providing that a person who acquires property subject to a certain qualified contract assumes a certain obligation; authorizing the Commission to revoke certain authorization if the Commission makes a certain determination; authorizing a certain sustainable energy utility to collect payments that are in arrears under a certain qualified contract, including certain amounts, by the imposition of a lien on a certain property in accordance with the Maryland Contract Lien Act; requiring the Commission to adopt certain regulations to carry out certain provisions of this Act; adding a certain qualified contract recorded under a certain provision of law to the definition of a contract under the Maryland Contract Lien Act; defining certain terms; and generally relating to the establishment of sustainable energy utilities.

BY adding to

Article – Public Utilities

Section 7–801 through 7–810 to be under the new subtitle “Subtitle 8.  
Sustainable Energy Utilities”

Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–201(b)

Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 14–202

Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 659 – Delegates Frush and Barnes**

AN ACT concerning

#### **Agriculture – Pesticides – Regulation of Atrazine**

FOR the purpose of prohibiting the use, distribution, or sale of atrazine in the State;  
and generally relating to the regulation of atrazine.

BY adding to

Article – Agriculture

Section 5–210.6

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 660 – Delegates Frush, Healey, Lafferty, and Niemann**

AN ACT concerning

**Agriculture – Pesticides – Use, Release, Sale, and Purchase Reporting**

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding the reporting on the use, release, sale, and purchase of certain pesticides; declaring certain findings of the General Assembly; requiring certain persons that use, release, sell, or purchase certain pesticides to submit certain reports to the Department; requiring the reports to contain certain information; requiring certain restricted use pesticides reports to be submitted at least monthly in a manner required by the Department; requiring certain pesticides reports to be submitted annually beginning on a certain date; requiring the Department to establish the format of the reports; requiring the Department to adopt standard naming conventions for certain chemicals and products; requiring a person that withholds certain information from a certain 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; authorizing the Department to share data management resources with other State departments; requiring the Department to establish an online electronic reporting system; requiring the online electronic reporting 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 the data with 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 Pesticide Use and Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have an annual revenue target; requiring the Department to set the revenue target and adjust the target based on certain conditions; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited



into the Fund; requiring the surcharge fees to be used for a certain purpose; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; requiring the Department to establish a tracking system for certain pesticide purchases; defining certain terms; and generally relating to pesticide release reporting.

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 5–201(a), (g), (l), and (r)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Agriculture

Section 5–2A–01 through 5–2A–20 to be under the new subtitle “Subtitle 2A.  
Use, Release, Sale, and Purchase of Pesticides”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 661 – Delegate Frush**

AN ACT concerning

#### **Prince George’s County – Authority to Impose Fees for Use of Disposable Plastic Bags**

FOR the purpose of authorizing Prince George’s County to impose, by law, a fee on certain retail establishments for use of disposable plastic bags under certain circumstances; defining certain terms; and generally relating to the authority for Prince George’s County to impose a fee for use of disposable plastic bags.

BY adding to

The Public Local Laws of Prince George’s County

Section 10–283 to be under the new division “Division 16. Fees for Use of  
Disposable Plastic Bags”

Article 17 – Public Local Laws of Maryland

(2007 Edition, as amended)

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

### **House Bill 662 – Delegates Summers, Cullison, Feldman, Ivey, Luedtke, A. Miller, and S. Robinson**

AN ACT concerning

**Renewable Energy Surcharge – Retail Electric Customers**

FOR the purpose of establishing a certain renewable energy surcharge on electricity consumption above a certain amount by certain retail electric customers; providing that the surcharge does not apply to customers receiving low-income government assistance or unemployment benefits; requiring the Public Service Commission to establish the amounts of the surcharge and of a certain rebate; authorizing the Commission to establish different surcharge amounts for different ratepayer classes for a certain purpose; requiring the Commission to authorize electric companies to add the full amount of the surcharge to the bills of customers subject to the surcharge; authorizing the Commission to adopt reasonable regulations as necessary to carry out certain provisions of law; requiring electric companies to collect the surcharge and provide a certain rebate in a certain manner to certain customers; requiring the Comptroller to collect the revenue from the surcharge and place it in the Maryland Strategic Energy Investment Fund; adding the surcharge to the sources of funding for the Fund; requiring revenue collected from the surcharge to be accounted for separately within the Fund; providing for the allocation of revenue collected from the surcharge within the Fund for certain purposes; prohibiting the use of revenue collected from the surcharge for certain purposes; defining certain terms; providing for the termination of this Act; and generally relating to a renewable energy surcharge.

BY adding to

Article – Public Utilities

Section 7–801 through 7–805 to be under the new subtitle “Subtitle 8.  
Renewable Energy Surcharge”

Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20B–05

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 663 – Delegate Simmons**

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 when the person knows or reasonably should know that a minor is present;

establishing certain circumstances under which a minor is present in a residence; 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 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 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–601.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

### **House Bill 664 – Delegate Frush**

AN ACT concerning

#### **Vehicle Laws – Speed Monitoring Systems – Enforcement**

FOR the purpose of authorizing certain persons to sign a statement that alleges, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; authorizing certain persons to swear to and affirm for evidentiary purposes, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; and generally relating to the enforcement of highway speed laws using speed monitoring systems.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–809(a)(1) and (2) and (b)(1)(i) and 21–810(b)(1)  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(d)(1) and (e)(1) and 21–810(d)(1) and (e)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 665 – Delegates Lee, Arora, Barkley, Barve, DeBoy, Feldman, Frick, George, Glenn, Gutierrez, Kipke, Luedtke, McComas, McDermott, A. Miller, Mitchell, B. Robinson, F. Turner, Valderrama, Vitale, and Wilson**

AN ACT concerning

**Commission on Maryland Cybersecurity Innovation and Excellence**

FOR the purpose of establishing the Commission on Maryland Cybersecurity, Innovation and Excellence; specifying the membership, chairs, staff, and purpose of the Commission; specifying that a member of the Commission may not receive compensation but may receive certain reimbursement; requiring the Commission to conduct an overview of certain laws, develop certain plans and policies, make certain recommendations, and carry out other certain duties regarding cybersecurity and innovation; requiring the Commission to submit certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Commission on Maryland Cybersecurity Innovation and Excellence.

BY adding to

Article – State Government

Section 9–2901 to be under the new subtitle “Subtitle 29. Commission on Maryland Cybersecurity Innovation and Excellence”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 666 – Delegates Lee, Barkley, Cane, Conway, Cullison, Dumais, Frick, Frush, Gutierrez, Healey, Hucker, A. Kelly, A. Miller, B. Robinson, and Wilson**

AN ACT concerning

**Courts – Peace Orders – Penalties**

FOR the purpose of altering the penalty, for a second or subsequent offense, for a person who fails to comply with the relief granted in an interim, a temporary, or a final peace order; and generally relating to peace orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1508  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 667 – Delegates Lee, Barkley, Cane, Conway, Cullison, Dumais, Frick, Frush, Gutierrez, Healey, Huckler, A. Kelly, A. Miller, B. Robinson, and Wilson**

AN ACT concerning

#### **Peace Orders – Extension of Duration**

FOR the purpose of extending the maximum duration of a final peace order; and generally relating to peace orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1505(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–506(j)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 668 – Delegates Carr, Barve, Huckler, and Mizeur**

AN ACT concerning

#### **Environment – Local Stormwater Charges – State Property**

FOR the purpose of repealing an exemption from certain taxes, user charges, and utility fees relating to stormwater for property owned by the State or a unit of State government; providing that property owned by the State or a unit of State government is subject to a certain stormwater charge imposed by the governing

body of the county or municipality within which the property is located; providing an exception to an exemption from the application of a certain provision of law relating to stormwater charges for State construction activities; making stylistic changes; repealing obsolete language; and generally relating to stormwater charges.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 24–406  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–204 and 4–205  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 669 – Delegates Carter, Frank, Haynes, Mitchell, Nathan–Pulliam, Oaks, Rosenberg, Simmons, Stukes, and Tarrant**

AN ACT concerning

**Baltimore City – City–Poly Annual High School Football Game –  
Thanksgiving Day**

FOR the purpose of requiring the State Board of Education to allow the scheduling of a certain football game on Thanksgiving Day on request of the Baltimore City Board of School Commissioners; authorizing the State Board to adopt certain regulations; and generally relating to the scheduling of the annual football game between Baltimore City College and Baltimore Polytechnic Institute.

BY adding to  
Article – Education  
Section 7–103.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 670 – Delegates Frush, Beidle, Bobo, Glenn, and Niemann**

AN ACT concerning

**Real Property – Retaliatory Actions – Landlords and Mobile Home Park Owners**

FOR the purpose of altering the actions that a landlord is prohibited from taking against a tenant for certain reasons; altering the reference to certain prohibited actions of a landlord; authorizing a tenant to raise a retaliatory action of a landlord in defense to an action for possession or in a claim for damages; creating a certain rebuttable presumption in an action by or against a tenant under certain circumstances; altering the judgment that a court may enter against a landlord or a tenant under certain circumstances; altering the right of a landlord or tenant to terminate or not renew a tenancy; altering the actions that a mobile home park owner is prohibited from taking against a resident for certain reasons; altering the reference to certain prohibited actions of a park owner; authorizing a resident to raise a retaliatory action of a park owner in defense to an action for possession or in a claim for damages; creating a certain rebuttable presumption in an action by or against a resident under certain circumstances; altering the judgment that a court may enter against a park owner under certain circumstances; altering the right of a park owner or resident to terminate or not renew a rental agreement; providing that this Act shall supersede a comparable retaliatory action ordinance enacted by a county under certain circumstances; making technical and stylistic changes; and generally relating to retaliatory actions by landlords and mobile home park owners.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–208.1 and 8A–1301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 671 – The Speaker (By Request – Administration) and Delegates Barve and O’Donnell**

AN ACT concerning

**Federal Military and Overseas Voter Empowerment (MOVE) Act Compliance**

FOR the purpose of making certain changes to the State election law to comply with the federal Military and Overseas Voter Empowerment (MOVE) Act; requiring certain local boards of elections to provide certain information relating to certain candidates to the State Board of Elections in accordance with regulations adopted by the State Board; altering certain deadlines for the filing of certain certificates of candidacy, petitions, certificates of withdrawal, and certificates of designation of candidacy; altering certain primary dates; altering the dates by which the State Board is required to certify the content and

arrangement of certain ballots and deliver a copy to each local board; and generally relating to primary and general elections.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 5–302(c), 5–303, 5–305, 5–502, 5–901, 8–201, 9–207, and 9–209

Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 672 – Delegates Beidle, Love, Sophocleus, Barnes, Busch, Costa, Frush, Kipke, and Pena–Melnyk**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Reece Road Community Health 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 Trustees of the People’s Community Health 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 673 – Delegate Clagett**

AN ACT concerning

**State Law Enforcement Officers – Collective Bargaining – Certain Police Employees**

FOR the purpose of establishing collective bargaining rights for certain State law enforcement officers who are represented by a certain organization; specifying which police employees are eligible to participate in the collective bargaining process; establishing that this Act applies only to the negotiation of a certain memorandum of understanding; requiring certain individuals or entities to designate one or more representatives to participate as a party in collective bargaining; requiring the exclusive representative to make a certain notification of the intent to commence negotiations on or before a certain date; requiring the parties to begin negotiations on or before a certain date; requiring the parties to meet at reasonable times and engage in collective bargaining in good faith; requiring the parties to request a certain list of arbitrators within a certain



period of time; authorizing a certain party under certain circumstances to request arbitration by a certain board; authorizing a certain party under certain circumstances to provide written notice that an impasse has been reached; providing for the composition of the board of arbitration; requiring each party to provide a certain final proposal to the board on or before a certain date; requiring the board to begin arbitration proceedings within a certain period of time and to issue a decision on or before a certain date; authorizing the parties to modify certain terms by mutual agreement; establishing the powers and duties of the board; authorizing the board to receive and consider certain evidence; requiring the written decision of the board to be delivered to certain parties; requiring a party that rejects the decision of the board to submit a certain written notice to certain parties; authorizing the board to stop or delay arbitration under certain circumstances; providing that arbitration may not be stopped or delayed because of certain acts; authorizing the parties to reach a certain voluntary settlement; prohibiting a party from altering certain conditions of employment during a certain period of time except under certain circumstances; requiring certain expenses to be divided equally between the parties; requiring a memorandum of understanding to be executed in a certain manner; establishing that, under certain circumstances, a certain written decision of the board is binding on the parties; requiring certain matters to be recommended to the General Assembly for approval; requiring the Governor to include certain amounts in the budget bill; providing that certain matters not included in a certain budget bill be paid retroactively to certain employees on a certain date; providing that negotiations for a memorandum of understanding are considered closed sessions; defining certain terms; and generally relating to collective bargaining rights for certain State law enforcement officers who are represented by a certain exclusive representative.

BY adding to

Article – Public Safety

Section 2–419

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

**House Bill 674 – Delegates Cullison, Luedtke, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Beidle, Bobo, Braveboy, Bromwell, Carr, Carter, Clippinger, Dumais, Feldman, Frick, Frush, Gilchrist, Gutierrez, Haddaway–Ricchio, Hough, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Kramer, Lee, McComas, McDermott, McDonough, McHale, A. Miller, W. Miller, Mitchell, O'Donnell, Pena–Melnik, Ready, Reznik, S. Robinson, Simmons, Smigiel, Summers, Tarrant, F. Turner, Waldstreicher, Washington, and Zucker**

AN ACT concerning

**Education – Human Trafficking – Awareness, Training, and Distribution of Materials**

FOR the purpose of requiring the State Department of Education, in collaboration with the Department of Health and Mental Hygiene, to provide awareness and training for certain individuals on human trafficking; requiring the Department of Health and Mental Hygiene, in consultation with certain experts, to provide to the State Department of Education certain information and materials on human trafficking; and generally relating to awareness, training, and distribution of materials on human trafficking.

BY adding to

Article – Education

Section 7–432

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 675 – Delegates Otto and McDermott**

AN ACT concerning

**Somerset County – Private Sale of County Property**

FOR the purpose of authorizing the County Commissioners of Somerset County to sell at private sale certain properties to the City of Crisfield under certain terms; requiring certain properties to revert to the County Commissioners under certain circumstances; authorizing the County Commissioners to sell certain property to the American Legion – Stanley Cochrane Post #16 at private sale under certain terms; exempting the sale of certain properties from certain requirements; and generally relating to the sale of specified property by the County Commissioners of Somerset County.

BY adding to

The Public Local Laws of Somerset County

Section 2–414 and 2–415

Article 20 – Public Local Laws of Maryland

(2003 Edition and 2009 Supplement, as amended)

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

**House Bill 676 – Delegates Otto, Afzali, Cane, Conway, Eckardt, Frank, Haddaway–Riccio, Hershey, Hough, Jacobs, Malone, McDermott, McIntosh, Norman, and Smigiel**

AN ACT concerning

### **Maryland Livestock and Poultry Care Advisory Board**

FOR the purpose of establishing the Maryland Livestock and Poultry Care Advisory Board; establishing the membership and charge of the Board; requiring the Board to elect the chair of the Board; providing for the terms of the members and chair of the Board; requiring the Department of Agriculture to provide staff for the Board; prohibiting a member from receiving certain compensations, but authorizing a member to receive certain reimbursements; and generally relating to the Maryland Livestock and Poultry Care Advisory Board.

BY adding to

Article – Agriculture

Section 2–1601 through 2–1606 to be under the new subtitle “Subtitle 16.  
Maryland Livestock and Poultry Care Advisory Board”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 677 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, and Krebs**

AN ACT concerning

### **Counties and Municipal Corporations – “Sanctuary Laws” for Illegal Aliens – Prohibition**

FOR the purpose of requiring counties and municipal corporations to fully comply with and support federal immigration law; defining a certain term; prohibiting counties and municipal corporations from restricting their officials, personnel, or agents from requesting, obtaining, sending, receiving, exchanging, or maintaining certain immigration information; requiring counties and municipal corporations to implement certain requirements and obligations in a certain manner; prohibiting counties and municipal corporations from construing certain provisions of law in a certain manner; clarifying that certain provisions of law apply to certain subdivisions and certain qualifying municipalities; requiring counties and municipal corporations 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 counties and municipal corporations.

BY adding to

Article – Public Safety

Section 3–508

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 41 – Governor – Executive and Administrative Departments  
Section 4–405  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 678 – Delegates Otto and McDermott**

AN ACT concerning

**Environment – Water and Sewer Service – Late Fees**

FOR the purpose of authorizing a sanitary commission to charge a late fee for certain unpaid water and sewer usage charges; providing that when a certain charge is in default it will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–601(a), (d), (j), and (k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–662  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 679 – Delegate Stein**

AN ACT concerning

**Real Property – Condominiums – Amendment to Bylaws to Require Unit Insurance Coverage**

FOR the purpose of authorizing the council of unit owners of a condominium to amend the bylaws of the condominium, by a certain majority, to require all unit owners to maintain condominium unit owner insurance policies on their units; and generally relating to condominiums and insurance coverage.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–104(a) and (c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–104(e)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 680 – Delegate Stein**

AN ACT concerning

#### **Baltimore County – Car Dealers – Sunday Operations**

FOR the purpose of authorizing, in Baltimore County, a new or used car dealer to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or a certificate of title for a motor vehicle on Sunday; and generally relating to car dealers in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 18–101  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 681 – Delegates Frank, Afzali, Aumann, Bates, Boteler, Cluster, Dwyer, Eckardt, Elliott, Glass, Haddaway–Ricchio, Hershey, Hogan, Hough, Jacobs, Krebs, McComas, McConkey, McDermott, W. Miller, Minnick, Morhaim, Nathan–Pulliam, Norman, O’Donnell, Otto, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdales, Weir, and Wood**

AN ACT concerning

#### **Income Tax – Credit for Long–Term Care Insurance**

FOR the purpose of altering certain limits on the State income tax credit for employer–provided long–term care insurance; providing for the application of this Act; and generally relating to State income tax credits for employer–provided long–term care insurance.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–710(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–710(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 682 – Delegate K. Kelly**

AN ACT concerning

**Criminal Procedure – Pretrial Release and Bail Bonds**

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is charged with failure to appear, violation of probation, or violation of parole; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail or certain 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; authorizing in circuit courts and in the District Court “cash bail”, or “cash bond” to be posted in the form of cash, surety bond, or property bond by the defendant or by a private surety acting for the defendant; requiring “cash bail”, or “cash bond” to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant’s failure to pay support to certain individuals; prohibiting a court that exercises criminal jurisdiction from giving back a forfeiture of bail or collateral at a certain time unless a private surety pays a forfeiture of bail or collateral within a certain time period after a defendant’s failure to appear; requiring a court to give back a forfeiture of bail bond or collateral that was not paid within a certain time period after a defendant’s failure to appear if on motion a private surety produces evidence that the defendant was incarcerated when the judgment of forfeiture was entered and the court strikes the judgment for fraud, mistake, or irregularity; providing for the repeal of laws inconsistent with this Act; and generally relating to pretrial release and bail bonds in circuit courts and in the District Court.

BY adding to  
Article – Criminal Procedure

Section 5–202(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–203, 5–205, and 5–208  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

## INTRODUCTION OF JOINT RESOLUTIONS

### House Joint Resolution 6 – Delegate Conway

A House Joint Resolution concerning

#### **Safe Harbor Legislation and Regulations Needed to Form Accountable Care Organizations**

FOR the purpose of urging the United State Congress and the Federal Trade Commission to pass legislation and adopt regulations establishing certain safe harbors that will allow physicians to collaborate in certain health insurance marketplaces and form accountable care organizations; and generally relating to safe harbor legislation and regulations needed for accountable care organizations.

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

### House Joint Resolution 7 – Delegates Cardin, Busch, Hixson, and Rosenberg

A House Joint Resolution concerning

#### **Election Law – Commission to Study Campaign Finance Law**

FOR the purpose of creating a Commission to Study Campaign Finance Law; specifying the composition, powers, and duties of the Commission; providing for the staffing of the Commission; requiring the Commission to report its findings and recommendations, including suggested legislative changes, to the Governor and the General Assembly by a certain date; providing for the termination of the Commission; and generally relating to the Commission to Study Campaign Finance Law.

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

**MESSAGE FROM THE SENATE****FIRST READING OF SENATE BILLS****Senate Bill 55 – Chair, Budget and Taxation Committee (By Request – Departmental – Property Tax Assessment Appeals Board)**

AN ACT concerning

**Property Tax Assessment Appeal Boards – Membership**

FOR the purpose of altering the number of alternate members of the property tax assessment appeal boards for certain counties and Baltimore City; and generally relating to the membership of property tax assessment appeal boards.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 3–103(a) and (c)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 69 – Senator Glassman**

AN ACT concerning

**Property Tax – Assessment Appeal Hearings – Right to Record**

FOR the purpose of authorizing a taxpayer to record certain property tax appeal hearings at the taxpayer's expense; providing that the State Department of Assessments and Taxation may not be required to provide recording equipment; providing that the Department is not required to update printed copies of the Property Owner's Bill of Rights until the next scheduled printing; requiring the Department to update the Department's Web site to reflect changes made in this Act; adding a certain right of taxpayers in the Property Owner's Bill of Rights; and generally relating to certain rights of property owners.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 1–402 and 14–510

Annotated Code of Maryland

(2007 Replacement Volume and 2010 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. 45)

**ADJOURNMENT**

At 10:26 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 10, 2011.

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**Annapolis, Maryland**  
**Thursday, February 10, 2011**

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The House met at 10:16 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

**QUORUM CALL**

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

(See Roll Call No. 46)

The Journal of February 9, 2011 was read and approved.

**EXCUSES:**

Del. Bobo – personal

Del. Donoghue – doctor’s appointment

Del. Glass – illness

Del. Harrison – late – personal

Del. Ivey – personal – family emergency

Del. James – personal

**INTRODUCTION OF BILLS**

**House Bill 683 – Delegates Jones, Burns, and Nathan–Pulliam**

AN ACT concerning

**Baltimore County – Public School Employees – Collective Bargaining and  
Representation Fees**

FOR the purpose of requiring the Board of Education of Baltimore County to negotiate certain fees with certain employee organizations representing certain certificated and noncertificated employees to be charged to certain nonmembers hired or promoted into a unit on or before a certain date for certain representation when membership includes a certain percentage of those eligible for membership; requiring the Board to negotiate certain fees with certain employee organizations representing certain certificated and noncertificated employees to be charged to certain nonmembers who are hired or promoted into a unit on or after a certain date; and generally relating to collective bargaining

and representation fees for certain certificated and noncertificated school personnel in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 684 – Delegates Braveboy, Davis, and Griffith**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Prince George’s County  
– Olde Mill Community and Teaching Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of the Olde Mill Foundation, Inc. to present evidence that a matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2009.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA03(BG)

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

**House Bill 685 – Delegates Kaiser, Barkley, Burns, Cardin, Cullison, DeBoy, Feldman, Frush, Gaines, Gilchrist, Holmes, Jameson, A. Kelly, Kramer, Lafferty, Luedtke, McIntosh, Mizeur, Morhaim, Reznik, S. Robinson, Simmons, Stein, Summers, V. Turner, Valentino-Smith, and Waldstreicher**

AN ACT concerning

**Education – Bullying Safety Risks and Health Problems – Parental  
Information**

FOR the purpose of requiring the State Department of Education, in collaboration with the Department of Health and Mental Hygiene, to provide certain information by a certain date to county boards of education relating to certain safety risks and health problems; requiring certain public schools to send certain information to certain parents and guardians; and generally relating to

the dissemination of information on the safety risks and health problems associated with bullying.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–424.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 686 – Delegates Malone, DeBoy, Burns, Jones, and Nathan–Pulliam**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Comet Booster Club  
Concession Stand**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$67,500, the proceeds to be used as a grant to the Board of Directors of the Comet 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 687 – Delegates Bobo, Arora, Barnes, Beidle, Bromwell, Cane, Carr, Costa, Frush, Gilchrist, Glenn, Healey, Holmes, A. Kelly, McHale, Murphy, Niemann, Schuh, Vitale, Washington, and Wilson**

AN ACT concerning

**Chesapeake Bay Nitrogen Reduction Act of 2011**

FOR the purpose of requiring the Department of Agriculture, in cooperation with the University of Maryland, to adopt regulations requiring certain signs to be posted where specialty fertilizer is sold or distributed after a certain date; requiring the sign to contain certain information; prohibiting certain specialty fertilizers from being labeled for certain uses after a certain date; prohibiting certain fertilizers from being sold or distributed for use on established lawns, grass, or turf after a certain date; requiring certain information to be considered when applying commercial fertilizer; requiring the University of Maryland to review certain recommendations after a certain number of years; requiring the review to consider certain information; requiring landscape contractors to

provide a certain notice to a homeowner, resident, or business; requiring the Department of Agriculture to develop the notice in cooperation with the University of Maryland; and generally relating to the regulation of fertilizer.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 6–201(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Agriculture  
Section 6–201(w–1), 6–210(f), and 6–223  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 6–210(e) and (f) and 8–803.4  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Business Regulation  
Section 8–502.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 688 – Delegates Krebs, Haddaway–Riccio, Hershey, Impallaria,  
W. Miller, Schuh, Schulz, and Stifler**

AN ACT concerning

**Prevailing Wage – Exclusion of Public Work from Annual Determination**

FOR the purpose of requiring the Commissioner of Labor and Industry to exclude from the annual determination of the prevailing wage rate in a locality any public work under a public work contract; and generally relating to the annual determination of the prevailing wage rate by the Commissioner of Labor and Industry.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(j) and (k)  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 689 – Harford County Delegation**

AN ACT concerning

#### **Harford County – Board of Elections – Membership**

FOR the purpose of altering the number of regular members of the Harford County Board of Elections; requiring the members of the local board to be of certain political parties; requiring a vacancy on the local board to be filled in a certain manner; and generally relating to the membership of the Harford County Board of Elections.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

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

### **House Bill 690 – Delegates Morhaim, Costa, Cullison, Donoghue, Frank, A. Kelly, Kipke, Murphy, Nathan–Pulliam, Pena–Melnik, Reznik, S. Robinson, Tarrant, and V. Turner**

AN ACT concerning

#### **Maryland Cardiovascular Patient Safety Act**

FOR the purpose of requiring that certain cardiovascular catheterization laboratories hold a certain accreditation or certification on or before a certain date; requiring the Department of Health and Mental Hygiene to adopt certain regulations; authorizing the Department to use consultants for a certain purpose and set and impose certain fees; requiring certain accreditation organizations to accredit certain cardiovascular catheterization laboratories by conducting certain inspections and surveys and comparing the results to nationally recognized standards; establishing certain criteria for certain accreditation

organizations and the site visit personnel of certain accreditation organizations; requiring certain cardiovascular catheterization laboratories to apply for certification with the Department; requiring certification by the Department to consist of a certain review and evaluation of certain elements of cardiovascular catheterization laboratories; requiring the Department to issue a report of certain deficiencies; requiring the Department to grant full certification or provisional certification or deny certification under certain circumstances; requiring certain cardiovascular catheterization laboratories to correct certain deficiencies; establishing the length of a certain certification; requiring certain cardiovascular catheterization laboratories to be subject to certain peer review; establishing the criteria for peer review and requiring peer review to be performed by certain entities; requiring peer review to be based on certain cases, address certain issues, and be compared to certain experience and standards; requiring the Department, the Maryland Health Care Commission, and the Health Services Cost Review Commission to give certain consideration to data from a certain registry to determine certain criteria and measures for hospitals and health care providers using certain cardiovascular procedures; defining certain terms; and generally relating to the safety of cardiovascular patients and cardiovascular catheterization laboratories.

BY adding to

Article – Health – General

Section 19–2401 through 19–2404 to be under the new subtitle “Subtitle 24.  
Cardiovascular Catheterization Laboratories”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 691 – Delegate Niemann**

AN ACT concerning

#### **Real Property – Residential Property Foreclosure Procedures – Secured Party**

FOR the purpose of defining the term “secured party” for purposes of provisions of law governing actions to foreclose certain mortgages and deeds of trust; and generally relating to foreclosure procedures.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.1

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 692 – Delegates Carr, Barve, and Luedtke**

AN ACT concerning

**Public Service Company Franchise Tax – Gross Receipts – Definition**

FOR the purpose of altering the definition of gross receipts to exempt from the public service company franchise tax certain revenue that a public service company collects to offset certain taxes imposed based on electricity or natural gas delivered to residential property; and generally relating to the definition of gross receipts for purposes of the public service company franchise tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 8–401(c)(5)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 693 – Delegates Barnes and Frush**

AN ACT concerning

**Labor and Employment – Employment Standards and Conditions –  
Definition of Employer**

FOR the purpose of adding a general definition of “employer” for purposes of certain provisions of law relating to employment standards and conditions; making certain conforming changes by altering or repealing definitions of “employer” used in certain provisions of law relating to employment standards and conditions; and generally relating to the definition of “employer” as used in provisions of law relating to employment standards and conditions.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–101, 3–301, 3–401, 3–501, 3–702(a), 3–801(a), 3–802(a), and 3–901  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 694 – Delegates Barkley, Reznik, and S. Robinson**



AN ACT concerning

**Creation of a State Debt – Montgomery County – Seneca Park North**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$18,500, the proceeds to be used as a grant to the Board of Directors of the Seneca Park North, HOA, 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 695 – Delegates Ross and Carr**

AN ACT concerning

**Property Tax – Semiannual Payment for Residential Property**

FOR the purpose of requiring the governing body of a county or municipal corporation to provide for a semiannual payment of State, county, municipal corporation, and special taxing district property taxes for certain residential property; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to the payment of property taxes for residential property.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 10–204.3(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

(As enacted by Chapter 680 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 10–204.3(b)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing

Article – Tax – Property

Section 10–204.3(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY renumbering

Article – Tax – Property

Section 10–204.3(d) through (j), respectively  
to be Section 10–204.3(c) through (i), respectively  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 696 – Delegates Krebs, Haddaway–Ricchio, Hershey, Impallaria,  
W. Miller, Schulz, and Stifler**

AN ACT concerning

**State Finance and Procurement – Public Work Employees – Helpers and  
Trainees**

FOR the purpose of repealing a prohibition on employing individuals classified as helpers or trainers by a contractor or subcontractor under a public work contract; and generally relating to public work employees.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 697 – Delegates Mitchell, Clippinger, Tarrant, and Washington**

AN ACT concerning

**Motor Vehicle Registration – Special Black and White License Plate**

FOR the purpose of authorizing the Motor Vehicle Administration to issue a certain special black and white license plate for certain vehicles; requiring an applicant for a certain special black and white license plate to pay certain fees determined by the Administration; requiring the Administration to set a certain fee for special black and white license plates that recovers certain costs without resulting in a surplus; providing that certain fees may be used for certain purposes; authorizing certain content for special black and white license plates; defining a certain term; and generally relating to the issuance of special license plates.

BY adding to  
Article – Transportation  
Section 13–619.3  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 698 – Delegate Weir**

AN ACT concerning

**Motor Vehicle Administration – Acceptable Source Documents – Valid  
Military Identification Card**

FOR the purpose of requiring the Motor Vehicle Administration to accept an individual's valid United States military identification card as evidence of the individual's lawful status, as defined in a certain provision of law, age, and identity for purposes of the issuance of an identification card, a moped operator's permit, or a driver's license; requiring the Administration to adopt certain regulations; and generally relating to source documents required for the issuance of identification cards, moped operators' permits, and drivers' licenses.

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

**House Bill 699 – Howard County Delegation**

AN ACT concerning

**Creation of a State Debt – Howard County – Former Ellicott City Post Office**

**Ho. Co. 8–11**

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 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 700 – Howard County Delegation**

AN ACT concerning

**Howard County – Hotel Rental Tax Rate**

**Ho. Co. 6–11**

FOR the purpose of altering the maximum sales or use tax rate that Howard County is authorized to impose on certain room rentals in the county; requiring the county to distribute certain revenue attributable to a certain tax rate imposed by the county to certain entities; and generally relating to the Howard County sales or use tax on room rentals for sleeping accommodations for transients.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Howard County  
Section 20.400(a)  
Article 14 – Public Local Laws of Maryland  
(1977 Edition and August 2008 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Howard County  
Section 20.400(b)  
Article 14 – Public Local Laws of Maryland  
(1977 Edition and August 2008 Supplement, as amended)

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

**House Bill 701 – Delegates McDonough, Dwyer, Impallaria, Kipke, Krebs, McComas, McMillan, O'Donnell, Ready, and Stocksedale**

AN ACT concerning

### **Election Law Transparency Act**

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  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 12–301(a) and (h)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 702 – Delegates Barnes, Pena–Melnik, and Frush**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Police  
Department Facility – Community Space**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Mayor and 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 Appropriations.

**House Bill 703 – Delegates Impallaria, Glass, James, McComas, Norman, and Stifler**

AN ACT concerning

**Harford County – Alcoholic Beverages – Continuing Care Facility for Aged –  
Beer, Wine and Liquor License**

FOR the purpose of establishing a Class CCFA (continuing care facility for the aged) beer, wine and liquor license in Harford County; specifying that the Liquor Control Board may issue a Class CCFA license to certain organizations that provide certain care, are licensed as a certain institution, are certified by a certain department, are exempt from certain taxes, and are located in Harford County; authorizing a Class CCFA license holder to sell alcoholic beverages for consumption on the licensed premises under certain circumstances; providing that certain prohibitions do not apply to this Act; and generally relating to beer, wine and liquor licenses in Harford County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–213.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 704 – Delegates Ross, Alston, Barnes, Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Niemann, Pena–Melnyk, Proctor, Summers, V. Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, and Walker**

AN ACT concerning

**Equity in Education Funding Act of 2011**

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 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 and 2010 Supplement)

BY adding to  
Article – Education  
Section 5–202(a–1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 705 – Delegates Barnes, Frush, and Pena–Melnyk**

AN ACT concerning

**Crimes – Pawn Shop Sales of Firearms – Prohibition**

FOR the purpose of prohibiting the sale or offer for sale of a firearm by or on the premises of a pawn shop; prohibiting a person from depositing, pledging, purchasing, offering to purchase, selling, or offering to sell a firearm in

connection with a pawn transaction; establishing penalties for a violation of this Act; defining certain terms; and generally relating to sales of firearms.

BY adding to

Article – Criminal Law

Section 4–210

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**House Bill 706 – Delegates Clagett, Arora, Barnes, Beidle, Bromwell, Cane, Carr, Costa, Frush, Gilchrist, Glenn, Healey, Holmes, A. Kelly, K. Kelly, McHale, Murphy, Niemann, Schuh, Vitale, Washington, and Wilson**

AN ACT concerning

**Chesapeake Bay Phosphorus Reduction Act of 2011**

FOR the purpose of prohibiting low phosphorous fertilizers from being used on established turf; prohibiting specialty fertilizers from being labeled for certain uses after a certain date; providing for a certain exception to the prohibition; requiring the Department of Agriculture, in cooperation with the University of Maryland, to adopt regulations requiring certain signs to be posted where specialty fertilizer is sold or distributed after a certain date; requiring the sign to contain certain information; prohibiting certain fertilizers from being sold or distributed for use on established lawns, grass, or turf; making technical and conforming changes; and generally relating to the regulation of fertilizer.

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 6–201(a), (p), and (y)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 6–210(e) and 6–222

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 707 – Delegates Krebs, Haddaway–Ricchio, Hershey, Impallaria, W. Miller, Schuh, Schulz, and Stifler**

AN ACT concerning

**State Finance and Procurement – Prevailing Wage Rates – Amount of Public Work Contracts**

FOR the purpose of increasing the maximum amount of a public work contract for which certain prevailing wage rate provisions do not apply; and generally relating to prevailing wage rates and public work contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 708 – Delegates Hucker, Barnes, Carr, Kramer, and Zucker**

AN ACT concerning

**Public Service Commission – Telephone Companies – Line Assessment**

FOR the purpose of authorizing the Public Service Commission to require a telephone company to conduct an assessment of certain lines for certain purposes; requiring a telephone company subject to a certain requirement to submit a certain report containing certain information to the Commission by a certain deadline; requiring the Commission, by order or regulation, to establish a certain reporting deadline and certain information required in a certain report; requiring the Commission, with a certain exception, to make certain reports available to the public and to provide an opportunity for public comment; requiring the Commission to protect certain proprietary information in a certain report by certain means; defining certain terms; and generally relating to an assessment of telephone lines by telephone companies.

BY adding to  
Article – Public Utilities  
Section 8–109  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 709 – Delegates V. Turner, Donoghue, Griffith, Hammen, Hubbard, Morhaim, Nathan–Pulliam, Pendergrass, and Valderrama**

AN ACT concerning



**Health Officers – Authority to Enter into Contracts or Agreements for  
Delivery of Health Care Services**

FOR the purpose of authorizing a health officer, under certain circumstances, to enter into a contract or other written agreement to assist or participate in the delivery of health care services with a certain person; and generally relating to the powers of health officers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 3–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 710 – Delegates Tarrant, Barnes, Feldman, Murphy, Reznik,  
V. Turner, and Vaughn**

AN ACT concerning

**Cigarette – Definition**

FOR the purpose of altering certain definitions of “cigarette” to expand the application of certain provisions of law governing the regulation and taxation of cigarettes to include certain products; and generally relating to the definition of “cigarette” and the regulation and taxation of cigarettes.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 16–101(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 16–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 11–501(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 11–501(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 12–101(a) and 12–105(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 388 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 12–101(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 388 of the Acts of the General Assembly of 2010)

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

**House Bill 711 – Delegates Beitzel, Myers, K. Kelly, Bobo, Haddaway–Ricchio, Serafini, and Wood**

AN ACT concerning

**Manufactured Homes – Sprinkler System Requirement – Opt-Out Provisions  
for Local Jurisdictions**

FOR the purpose of authorizing local jurisdictions to adopt a certain local amendment to allow certain manufactured homes to opt-out of certain sprinkler requirements if the local jurisdiction has adopted a local amendment to the Maryland Building Performance Standards that allows buildings and structures to opt-out of certain sprinkler requirements; providing for the applicability of a certain local amendment; providing that a certain local amendment prevails if there is a conflict with a certain building code; requiring a local jurisdiction to ensure that a certain local amendment is adopted in accordance with applicable local law; defining certain terms; and generally relating to requirements in local jurisdictions for sprinkler systems in manufactured homes.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–301(a), (b), and (g) and 12–303  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–305(d)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to  
Article – Public Safety  
Section 12–305(e)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 712 – Delegates Hucker, Braveboy, Carr, Gutierrez, Ivey, Kaiser, Luedtke, Olszewski, Rosenberg, and V. Turner**

AN ACT concerning

**Early Child Care and Education Enhancement Program – Annual Report**

FOR the purpose of altering a date that a certain report is due; requiring the State Department of Education to include in a certain annual report certain information relating to the Judith P. Hoyer Early Child Care and Education Enhancement Program and the participating agencies and programs; and generally relating to reporting requirements of the State Department of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–217  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 713 – Delegates Hucker and Niemann**

AN ACT concerning

**Residential Property Tax Disclaimer Act**

FOR the purpose of requiring that a standardized disclosure form for residential property condition disclosure and disclaimer statements developed by the State Real Estate Commission contain a notice about certain differences between property tax bills paid by the buyer and the seller of the property; and generally relating to sales of residential property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 10–702(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 714 – Delegates Hucker, Barkley, Cullison, Dwyer, Feldman, Frush, Gaines, Gilchrist, Holmes, Jameson, Kaiser, A. Kelly, Kramer, Niemann, Reznik, S. Robinson, Summers, V. Turner, Valentino-Smith, and Waldstreicher**

AN ACT concerning

**Health – Newborn Screening Program – Critical Congenital Heart Disease**

FOR the purpose of requiring that the Department of Health and Mental Hygiene's Newborn Screening Program include screening for critical congenital heart disease.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–111  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 715 – Delegates Walker, Barnes, Branch, Braveboy, Davis, Feldman, Hixson, Howard, Hubbard, Luedtke, Mitchell, Morhaim, Murphy, Niemann, Olszewski, Ross, Stukes, F. Turner, Vallario, Vaughn, Waldstreicher, and Wilson**

AN ACT concerning

**Consumer Protection – Home Appliances – Warranty Enforcement**

FOR the purpose of requiring a manufacturer of 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 the manufacturer's express warranties; 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 manufacturer's express warranty by any time during which a home appliance is out of service for repair of a nonconformity; providing for the extension of the term of a manufacturer's express warranty 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 manufacturers' express 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 2010 Supplement)

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

**House Bill 716 – Delegates Walker, Anderson, Barnes, Braveboy, Davis, Feldman, Frick, Frush, Holmes, Hubbard, Nathan–Pulliam, Pena–Melnyk, B. Robinson, Ross, Stukes, F. Turner, and Vaughn**

AN ACT concerning

**Health – Maryland Combating Childhood Obesity Grant Program**

FOR the purpose of establishing the Maryland Combating Childhood Obesity Grant Program; specifying the purpose of the Program; requiring an organization or a public school meet certain eligibility requirements for participation in the Program; specifying that a grant from the program may be used for certain purposes; prohibiting a program grant from being used for certain purposes; requiring an organization or a public school that receives a grant from the program to submit certain reports to the Secretary of Health and Mental Hygiene at certain times; requiring the Secretary to adopt certain regulations; establishing the Maryland Combating Childhood Obesity Fund; specifying the purpose of the Fund; requiring the Secretary to administer the Fund; specifying that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately; requiring the Comptroller to account for the Fund; specifying that the Fund consists of certain revenue, certain investment earnings, and certain other money; specifying that the Fund may be used only for certain purposes; requiring the State Treasurer to invest money in the Fund in a certain manner; requiring that investment earnings of the Fund be credited to the Fund; specifying that expenditures from the Fund may be made only in accordance with the State budget; specifying that a certain exemption from the sales and use tax does not apply to snack food; repealing a certain exemption from the sales and use tax; requiring the Comptroller to distribute the sales and use tax revenue collected from the sale of snack food in a certain manner; requiring a sales and use tax return to include certain information; defining certain terms; and generally relating to the Maryland Combating Childhood Obesity Grant Program.

BY adding to

Article – Health – General

Section 13–3001 through 13–3003 to be under the new subtitle “Subtitle 30.  
Maryland Combating Childhood Obesity Grant Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1302.2, 11–206, and 11–502

Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 717 – Delegates Braveboy, Beidle, Davis, Howard, Jameson, McConkey, Pena–Melnik, Ross, and Vaughn**

AN ACT concerning

**Sales of Residential Real Property – Right of Purchaser to Select Title Insurance Company**

FOR the purpose of providing that a purchaser of certain residential real property may obtain title insurance covering the residential real property being purchased from the title insurance company selected by the purchaser; prohibiting certain persons from requiring, directly or indirectly, as a condition to the sale of certain residential real property, that the purchaser obtain title insurance from a title insurance company specified by the person; establishing a certain penalty; defining certain terms; and generally relating to the right of a purchaser of residential real property to select a title insurance company.

BY adding to

Article – Real Property

Section 14–133

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 718 – Delegates McIntosh, Anderson, Beidle, Bobo, Cane, Carr, Frush, Glenn, Healey, Lafferty, Niemann, B. Robinson, S. Robinson, and Weir**

AN ACT concerning

**Real Property – Commercial Buildings – Disclosures**

FOR the purpose of requiring that, on or after a certain date, an owner or operator of certain privately owned commercial buildings disclose certain energy benchmarking information to certain persons; providing that a purchaser or lessee that does not receive an energy benchmark disclosure statement on or before entering into a contract for sale or lease has the right to rescind the contract within a certain time and to the immediate return of any deposit; providing that a benchmark is valid for a certain time period; defining certain terms; and generally relating to the disclosure of energy usage information for privately owned commercial buildings.

BY adding to

Article – Real Property

Section 10A–101 through 10A–104 to be under the new title “Title 10A.  
Commercial Buildings – Disclosures”

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 719 – Delegates McIntosh, Beidle, Bobo, Cane, Carr, Frush,  
Hucker, Luedtke, Niemann, S. Robinson, Stein, and Weir**

AN ACT concerning

**Residential Property Sales – Disclosure of Utility Consumption**

FOR the purpose of requiring a vendor of certain single family residential property to provide prospective purchasers with certain utility information; requiring a vendor to update certain information at certain intervals; requiring a vendor to provide certain information for the period of time the vendor occupied the residential property; providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 1–101(l) and (n)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property

Section 10–702.1

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 720 – Delegates McIntosh, Anderson, and Washington**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Statewide – Therapeutic  
Pool for People with Disabilities**



FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of The League for People with Disabilities, Inc. to present evidence that a matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2009.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(I) and Item ZA03(H)

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

**House Bill 721 – Delegates Afzali, Alston, Arora, Barkley, Barnes, Bates, Cluster, Cullison, Dwyer, Eckardt, Elliott, Feldman, Frank, Gaines, Hough, Ivey, Jacobs, Jameson, Kach, Krebs, Love, Luedtke, McComas, McDermott, McDonough, W. Miller, Myers, Norman, Olszewski, Otto, Parrott, Ready, Ross, Schulz, Serafini, Smigiel, Stifler, Stocksedale, Szeliga, Valderrama, Walker, Washington, and Wood**

AN ACT concerning

**Estate Tax – Exclusion of 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; limiting the Maryland estate tax imposed on certain agricultural property above a certain value defining certain terms; 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  
(2010 Replacement Volume)

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

**House Bill 722 – Delegates Holmes and Weir**

AN ACT concerning

**Common Interest Communities – Management Services – Required Contract**

FOR the purpose of requiring a service provider of certain management services for a common interest community to enter into a written contract with the governing

body of the common interest community in order to provide the management services; establishing the right of a common interest community to terminate a management service without penalty if the management service was not provided under a written contract; establishing the right to terminate a certain written contract for cause; prohibiting certain provisions in a certain written contract; requiring a service provider to provide a common interest community with evidence that the service provider carries certain insurance coverage before entering into a certain written contract; authorizing a written contract to provide certain legal defense to a service provider under certain conditions; requiring a written contract that includes accounting or debt collection services to include certain provisions; requiring a certain written contract to make certain provisions regarding certain records and documents of the common interest community; defining certain terms; and generally relating to the requirement of a written contract for the provision of management services to a common interest community.

BY adding to

Article – Real Property

Section 14–133

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

### **House Bill 723 – Delegates George and Walker**

AN ACT concerning

#### **Campaign Finance – Affiliated Entities – Attribution of Contributions**

FOR the purpose of requiring that contributions by a certain number of business entities be considered as being made by one contributor under certain circumstances; requiring that contributions by a certain number of entities other than business entities be considered as being made by one contributor under certain circumstances; defining a certain term; and generally relating to attribution of contributions by entities with common ownership or control.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226

Annotated Code of Maryland

(2010 Replacement Volume)

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

### **House Bill 724 – Delegates A. Miller, Dumais, Glenn, Kaiser, Lee, Luedtke, McDermott, Summers, Valderrama, Valentino-Smith, and Wilson**

AN ACT concerning

**Sexual Offense in the Fourth Degree – Statute of Limitations – Increase**

FOR the purpose of altering the period of time within which a prosecution for any sexual offense in the fourth degree must be instituted after the offense was committed; and generally relating to the statute of limitations for prosecuting a sexual offense in the fourth degree.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 725 – Delegates Griffith, Braveboy, and Davis**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Arthur & Mary E.  
Ridgley, Sr. Museum Phase I**

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 Mildred Ridgley Gray Charitable Trust, 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 726 – Delegates Barnes, Frush, and Pena–Melnyk**

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 \$500,000, 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; 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 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments**

FOR the purpose of providing that certain annual retirement allowance adjustments shall be a certain amount under certain circumstances; requiring that certain annual retirement allowances be reduced by a certain amount under certain circumstances; defining certain terms; repealing certain termination provisions; requiring the State Retirement Agency to review certain provisions of the State Personnel and Pensions Article for a certain purpose and make certain recommendations to the Joint Committee on Pensions on or before a certain date; and generally relating to annual retirement allowance adjustments for retirees of the several systems of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–401(e), 29–406, 29–407, 29–412, 29–418, and 29–427  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing  
Chapter 56 of the Acts of the General Assembly of 2010  
Section 4

BY repealing  
Chapter 57 of the Acts of the General Assembly of 2010  
Section 4

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

**House Bill 728 – Delegate Niemann**

AN ACT concerning

**Residential Property – Foreclosure – Required Documents – Timing of  
Mediation**

FOR the purpose of altering the documents that must accompany an order to docket or complaint to foreclose a mortgage or deed of trust on residential property; clarifying the documents that must be served on a mortgagor or grantor in a foreclosure action on residential property under certain circumstances; requiring the Commissioner of Financial Regulation to prescribe by regulation certain notices, forms, and supporting documents that must be served on a mortgagor or grantor in a foreclosure action on residential property; altering the authority of the Office of Administrative Hearings to extend the time in which a foreclosure mediation must be held; making stylistic changes; declaring the intent of the General Assembly; and generally relating to the foreclosure of residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 729 – Delegate Simmons**

AN ACT concerning

**Civil Actions – Class Action Waiver in a Written Agreement –  
Unenforceability**

FOR the purpose of providing that a written agreement made between two parties before a dispute arises between the parties may not waive or have the effect of waiving the rights of one party to the agreement to resolve the dispute by obtaining relief as a representative of or as a member of a class of similarly situated persons; establishing that such a waiver in a written agreement is not enforceable; and generally relating to a class action waiver in a written agreement.

BY adding to  
Article – Courts and Judicial Proceedings

Section 6–411  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 730 – Delegates Simmons, Rosenberg, and Dumais**

AN ACT concerning

**Public Safety – Regulated Firearms – Mental Disorder**

FOR the purpose of altering certain provisions relating to regulated firearms dealer’s licenses, the application for a permit to possess, and the possession of regulated firearms, and the sale, rental, or transfer of regulated firearms to limit certain permits, transactions, and the possession of a firearm if a person has been treated within a certain time period for a mental disorder described in a certain version of the American Psychiatric Association’s “Diagnostic and Statistical Manual – Mental Disorders”; making a certain conforming change; and generally relating to regulated firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–107(b)(4)(viii), 5–114(b)(2)(vi), 5–118(b)(3)(vii), 5–133(b)(7), and  
5–134(b)(9)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133(b)(6) and 5–134(b)(8)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**House Bill 731 – Delegates Ross, Hucker, Arora, Barnes, Bobo, Braveboy, Carr, Cullison, Frush, Gaines, Glenn, Healey, Holmes, Hubbard, Ivey, Kaiser, Luedtke, A. Miller, Mizeur, Murphy, Niemann, Pena–Melnik, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, F. Turner, V. Turner, Valderrama, Walker, Washington, and Zucker**

AN ACT concerning

**Corporate Income Tax – Combined Reporting**

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; requiring, subject to regulations of the Comptroller, certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all 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; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY adding to

Article – Tax – General  
Section 10–402.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–811  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 732 – Delegates Reznik, Barve, Carr, Conaway, Dumais, Feldman, Frick, Gilchrist, Glenn, Gutierrez, Haynes, Healey, Hixson, Hucker, Ivey, A. Kelly, Kramer, Lee, Luedtke, A. Miller, Mizeur, Olszewski, Pena–Melnyk, B. Robinson, Ross, Tarrant, Valderrama, Waldstreicher, and Zucker**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Elective Franchise – Registration and Voting at Polling Places**

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 or on a certain day before election day at a certain polling place; making a stylistic change; and submitting this amendment to the qualified voters of the State 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 733 – Delegates Conway and Cane**

AN ACT concerning

**Community Based Regional Initiatives Loan of 2004 – Wicomico County –  
Salisbury City Park**

FOR the purpose of amending the Community Based Regional Initiatives Loan of 2004 to require that the Board of Public Works expend or encumber the proceeds of a certain loan by a certain date; and generally relating to amending the Community Based Regional Initiatives Loan of 2004.

BY repealing and reenacting, with amendments,  
Chapter 204 of the Acts of the General Assembly of 2003  
Section 12(3) Item (AQ)

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

**House Bill 734 – Delegates Stocksdale, Barkley, Bates, Boteler, DeBoy,  
Eckardt, Elliott, Haddaway–Riccio, Impallaria, Krebs, W. Miller, Ready,  
B. Robinson, F. Turner, and Wood**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Civil Air Patrol**

FOR the purpose of making certain members of the Maryland Civil Air Patrol eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Civil Air Patrol unless the Maryland Civil Air Patrol maintains certain records and provides certain reports; providing for a delayed effective date; providing for the application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Civil Air Patrol.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)



BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–208(i–1)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 735 – Delegates Weir, Aumann, Boteler, Bromwell, DeBoy, Frank, George, Glass, Guzzone, Impallaria, James, Kach, McDonough, Minnick, Norman, Olszewski, Schulz, Sophocleus, and Stukes**

AN ACT concerning

**Gaming – Slot Machines – Ownership and Operation by Eligible War Veterans’ Organizations**

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

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 736 – Delegates Tarrant, Bromwell, Costa, Cullison, Elliott, Frank, Kach, A. Kelly, Krebs, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, Ready, Reznik, and V. Turner**

AN ACT concerning

**Electronic Health Records – Incentives for Health Care Providers – Regulations**

FOR the purpose of exempting a certain group model health maintenance organization from the definition of “carrier” for purposes of certain regulations relating to electronic health records; requiring certain regulations relating to electronic health records to require incentives for the adoption and use of electronic health records for each of certain types of health care providers; requiring certain

regulations to permit certain health care providers to specify to a State-regulated payor the form of incentive the health care provider will receive; requiring certain regulations to include an option for the health care provider to specify that the incentive shall be limited to a certain monetary payment; and generally relating to electronic health records.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–142(a), (c), (d), (e), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–142(b) and 19–143(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 737 – Delegates Barnes, Braveboy, Arora, Barkley, Beidle, Bobo, Burns, Cane, Frush, Gilchrist, Glenn, Healey, Holmes, Hubbard, Lafferty, Love, Niemann, Pena–Melynk, S. Robinson, Rosenberg, Ross, Stein, Valderrama, Vaughn, and Wilson**

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; providing for the application of this Act; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to  
Article – Transportation  
Section 21–1130 and 27–115  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 738 – Delegates Frick, Barkley, Bates, Bobo, Carr, DeBoy, Gilchrist, Hixson, Hucker, Kaiser, A. Kelly, Lee, Luedtke, McDermott, W. Miller, Minnick, Mizeur, Myers, Pendergrass, Reznik, Rudolph, Stocksdale, F. Turner, Waldstreicher, and Walker**

AN ACT concerning

**Consumer Protection – Free Credit Reports and Credit Scores – Prohibited Practices**

FOR the purpose of prohibiting a person from offering to provide a consumer with a free credit report or credit score if the offer is contingent on the consumer making a certain purchase or enrolling in a certain program or subscription service; 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 a certain term; and generally relating to an offer to provide a consumer with a free credit report or credit score.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**House Bill 739 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Sexual Assault Crisis Programs and Domestic Violence Programs – Transfer to the Governor’s Office of Crime Control and Prevention**

FOR the purpose of transferring certain responsibilities for certain sexual assault crisis programs and domestic violence programs from the Department of Human Resources to the Governor’s Office of Crime Control and Prevention; transferring certain appropriations held by the Department of Human Resources to the Governor’s Office of Crime Control and Prevention; establishing that this Act may not affect certain memberships or terms of office; providing for the validity of certain transactions; authorizing the publishers of the Annotated Code to take certain actions; providing for the continued effectiveness of certain directives, duties, and responsibilities relating to the functions of a sexual assault crisis program and domestic violence program; transferring all functions, powers, duties, equipment, assets, and liabilities of certain sexual assault crisis programs and domestic violence programs from the

Department of Human Resources to the Governor's Office of Crime Control and Prevention; defining a certain term; and generally relating to sexual assault crisis programs and domestic violence programs.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–923  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501, 4–503, 4–515, and 4–516  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 740 – Delegates Cardin and Rosenberg**

AN ACT concerning

#### **Election Law – Online Voter Registration**

FOR the purpose of authorizing an individual to apply to become a registered voter through an online voter registration system; requiring the State Board of Elections to operate an online voter registration system that allows an individual to apply to register to vote and make certain changes in the individual's existing voter registration record; requiring an individual who applies to register to vote through the online voter registration system, or who makes certain changes in the individual's existing voter registration record through the online voter registration system, to follow certain procedures and provide certain information; requiring the Motor Vehicle Administration to transmit to the State Board an electronic copy of the signature of an individual who submits a voter registration application through the online voter registration system within a certain period of time; authorizing the State Board to take certain actions to ensure the accuracy and integrity of voter registration applications submitted through the online voter registration system; authorizing the State Board to adopt regulations as necessary to administer the online voter registration system; clarifying that notification of a change of party affiliation or a change to or from a decline may be made by certain methods, including through the online voter registration system; making conforming changes; and generally relating to online voter registration.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–201 and 3–303

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 3–204.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **House Bill 741 – Delegate Feldman**

AN ACT concerning

#### **Corporations and Real Estate Investment Trusts – Directors and Trustees – Duties and Immunity from Liability**

FOR the purpose of clarifying the duties of a director of a corporation and the manner in which a director must act; clarifying that a director who acts in accordance with a certain provision of law shall have certain immunity from liability; clarifying that a director of a corporation is not required to act solely because of the effect the act may have on, or the amount or type of consideration offered or paid to stockholders in, certain transactions involving the corporation; clarifying that any act of a director of a corporation relating to or affecting certain transactions involving the corporation may not be subject to a certain duty or scrutiny; repealing a limitation on the enforcement of a duty of a director; clarifying that certain provisions of law displace any duties of a director under common law, are the sole source of duties of a director of a corporation to the corporation or its stockholders, and apply to any act of a director; clarifying the circumstances under which a director of a corporation is immune from certain liability; making certain provisions of law relating to certain duties and immunity from liability of a director of a corporation applicable to a trustee of a real estate investment trust; defining a certain term; providing for the application of certain provisions of this Act; making certain conforming and stylistic changes; stating the intent of the General Assembly; and generally relating to directors of a corporation.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 2–405.1, 3–410(d), and 8–601.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–417

Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 742 – Delegates W. Miller, Boteler, Burns, Donoghue, Elliott, Frank, Impallaria, Kach, Kipke, Krebs, McDonough, Ready, Tarrant, V. Turner, and Wood**

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Requirements**

FOR the purpose of requiring the Maryland Technology Development Corporation and the Stem Cell Research Commission to include in the Maryland Stem Cell Research Fund annual report certain information on the interim and final results of research performed by recipients of money from the Fund; and generally relating to the Maryland Stem Cell Research Fund annual report.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 10–401(a) and (c) and 10–429(a), (c), (e), (i), and (j)  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–442  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

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

**House Bill 743 – Delegates W. Miller, Bates, Haddaway–Ricchio, Hershey, Impallaria, O’Donnell, Schuh, Schulz, and Stifler**

AN ACT concerning

**Labor and Employment – Labor Organizations – Right to Work**

FOR the purpose of prohibiting an employer from requiring, as a condition of employment or continued employment, an employee or prospective employee to join or remain a member of a labor organization, pay charges to a labor organization, or pay a certain amount to a third party under certain circumstances; prohibiting an employer from threatening an employee or a prospective employee with certain action; specifying that certain agreements,

understandings, or practices between employers and labor organizations are null and void and without legal effect; authorizing an employee or prospective employee to file an action in a certain circuit court for a certain violation of law; specifying that an employee or a prospective employer is entitled to injunctive relief and to recover certain damages and costs under certain circumstances; providing that a certain violation of law is a misdemeanor and is subject to certain penalties; requiring the Attorney General to take certain action to ensure effective enforcement of certain law, investigate certain complaints, and try certain prosecutions; specifying that the Attorney General has certain powers and duties relating to criminal prosecutions under certain circumstances; specifying that certain provisions of law are unenforceable under certain circumstances; repealing a certain provision of law that prohibits a court from granting relief under certain circumstances; repealing certain provisions of law related to fees paid by employees to certain labor organizations; defining certain terms; providing for the application of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the rights of individuals, employee organizations, and employers.

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 5–114.1(f)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 5–114.1(j)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(j)(5)(i) and (ii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(j)(5)(iii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–407, 6–504, and 16–414.1(e)(3) and (f)  
Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–595.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 4–304  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Labor and Employment  
Section 4–701 through 4–707 to be under the new subtitle “Subtitle 7. Right to  
Work”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–407  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Chapters 324 and 325 of the Acts of the General Assembly of  
2010)

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

**House Bill 744 – Delegates McDonough, Boteler, Frank, Kach, Kipke, Krebs,  
McComas, and Minnick**

AN ACT concerning

### **Citizens Rights Act**

FOR the purpose of requiring a managing official of a correctional facility or the  
managing official’s designee to require an individual committed to the  
correctional facility to provide information as to the immigration status of the



individual; requiring a managing official of a correctional facility or the managing official's designee to send an immigration alien query to the Law Enforcement Support Center for information relating to the immigration status of individuals committed to the correctional facility; requiring the managing official of a correctional facility to report the immigration status of certain individuals to the Central Repository, the Division of Correction, and the Division of Parole and Probation; requiring the divisions to maintain in their offender management systems certain information regarding certain individuals; requiring certain State agencies to assist the United States Immigration and Customs Enforcement Agency with information leading to the deportation of certain individuals; requiring the Central Repository to record certain information in the criminal history record of certain individuals; requiring the Central Repository to report certain information to the Law Enforcement Support Center; prohibiting a person who is in violation of certain federal law from failing to complete certain registration documents or carry at all times certain registration documents; establishing penalties; providing a person convicted and sentenced for failing to complete or carry certain documents is not eligible for suspension of sentence, probation before judgment, pardon, or release from confinement until the sentence imposed by the court is served; requiring the person to pay the costs of confinement; prohibiting a person who does not have lawful presence in the United States from knowingly applying for work, soliciting work in a public place, or being an employee or independent contractor; authorizing certain State law enforcement officers authorized by the federal government to verify a certain person's immigration status; prohibiting a law enforcement officer from considering certain attributes of a detained individual in making a certain determination, except to the extent authorized by the United States Constitution and the Maryland Constitution; establishing the admissibility of certain immigration records in court under certain circumstances; providing an exception from certain provisions of law for persons who maintain authorization from the federal government to remain in the United States; requiring a police officer who encounters and detains in the normal course of the officer's duties an individual who the police officer determines is an undocumented alien to inform the United States Immigration and Customs Enforcement Agency of the United States Department of Homeland Security of the detention as soon as possible after the police officer has detained the undocumented alien; providing that this Act does not require that a police officer search for an individual for the sole purpose of detaining undocumented aliens; prohibiting a police officer from considering certain attributes of a detained individual in making a certain determination, except to the extent authorized by the United States Constitution and the Maryland Constitution; altering certain warrantless arrest authority of a police officer by authorizing the warrantless arrest of a person who commits a public felony or misdemeanor that makes the person removable from the United States; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who cannot provide documentation acceptable to the Department of Public Safety and Correctional Services certifying that the individual is lawfully present in the United States in accordance with federal law; requiring

each law enforcement agency in the State to enter into a certain memorandum of understanding to enforce federal immigration law; requiring each law enforcement agency in the State to provide certain training to certain law enforcement officers; authorizing a law enforcement agency to transport a certain alien who is in the agency's custody and for whom the agency has received verification the alien is unlawfully present in the United States to a federal facility in the State or to a point of transfer into federal custody; requiring that, under certain circumstances, a law enforcement agency obtain authorization from the court before transporting an alien to federal custody; requiring local governments to comply fully with and support federal immigration law; 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; providing that a registered voter under the laws of the State may file a complaint alleging certain actions against certain officers and employees of the State or of a local government for declaratory judgment and injunctive relief; specifying that a person has standing to file a certain action against certain officers and employees under certain circumstances; authorizing a court to direct certain officers and employees to reimburse a person for certain fees and costs under certain circumstances; providing that certain persons may not avail themselves of the remedies provided under this Act; 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 a State unit to adopt regulations regarding a certain waiver process or additional forms of identification for certain adults applying for certain public benefits; prohibiting State units or political subdivisions, after a certain date, from providing certain public benefits to certain adults who are not lawfully present in the United States; 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; authorizing State units and political subdivisions to adopt certain modifications to certain requirements under certain circumstances; requiring certain reports; establishing that a State unit or political subdivision, except as provided in federal law, may not be prohibited or restricted from sending, receiving, maintaining, or exchanging information related to immigrant status with other federal agencies, State units, or political subdivisions for certain reasons; altering a certain date until which the Motor Vehicle Administration shall issue a certain temporary identification card, moped operator's permit, or license to drive that is not acceptable to federal agencies for certain official purposes; requiring the Administration to notify by certified mail certain people who were issued a

certain temporary identification card, moped operator's permit, or license to drive between certain dates of the new date by which the certain temporary identification card, moped operator's permit, or license to drive will expire; requiring the Administration to issue a certain substitute temporary identification card, moped operator's permit, or license to drive that will expire on the altered date; altering a certain date on which a certain temporary identification card, moped operator's permit, or license to drive shall expire; requiring local governments to comply with certain provisions of law in order to receive certain aid from the State; defining certain terms; and generally relating to immigrant aliens in Maryland.

BY adding to

Article – Correctional Services  
Section 9–614  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Criminal Law  
Section 9–901 through 9–904 to be under the new subtitle “Subtitle 9. Unlawful Presence in the United States”  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to

Article – Criminal Procedure  
Section 2–108, 2–202(d), and 5–202(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Public Safety  
Section 3–508 and 3–509  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 8–502.1; and 10–1301 through 10–1308 to be under the new subtitle “Subtitle 13. Proof of Lawful Presence to Receive Public Benefits”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 16–122(a)  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 41 – Governor – Executive and Administrative Departments  
Section 4–405  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 745 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, Krebs, McComas, Ready, and Stocksdale**

AN ACT concerning

**Task Force to Study the Financial Impact of Illegal Immigrants on Maryland’s Job Market**

FOR the purpose of establishing a Task Force to Study the Financial Impact of Illegal Immigrants on Maryland’s Job Market; providing for the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing of the Task Force; prohibiting a member from receiving certain compensation; authorizing a member to receive certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to report its findings to the Governor and the General Assembly by a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study the Financial Impact of Illegal Immigrants on Maryland’s Job Market.

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

**House Bill 746 – Delegates Burns, Alston, Boteler, McMillan, and Stocksdale**

AN ACT concerning

**Public Health – Abortion – Third Trimester Procedures**

FOR the purpose of requiring an abortion performed during the third trimester of pregnancy to be performed in a hospital; requiring a certain abortion to be certified by certain physicians to be necessary to preserve the life or health of the woman; requiring certain hospitals to arrange for the availability of a certain physician to provide a certain consultation; defining a certain term; and generally relating to abortion procedures.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 20–207 and 20–209

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–208  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 747 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke, Krebs, and McComas**

AN ACT concerning

**State Government – Equal Access to Public Services – Individuals with Limited English Proficiency – Report**

FOR the purpose of requiring each State department, agency, and program to report to the Department of Human Resources on or before a certain date each year on the actual costs incurred in complying with certain provisions of law that require equal access to public services for individuals with limited English proficiency; requiring the Department to report annually to the General Assembly on or before a certain date on the actual costs incurred by each State department, agency, and program in complying with certain provisions of law that require equal access to public services for individuals with limited English proficiency; requiring the Department to make a certain report available to the public on the Department's Web site; and generally relating to reporting the costs incurred in providing equal access to public services for individuals with limited English proficiency.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–1101 and 10–1105  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 10–1106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 748 – Chair, Appropriations Committee (By Request –  
Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

FOR the purpose of increasing the bonding authority for the University System of Maryland; approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; authorizing the issuance of bonds by the University System of Maryland for financing the projects; providing that certain bonds are not a debt or an obligation of the State or any of its subdivisions; and generally relating to the authority to issue academic facilities bonds.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 19–102(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 749 – Delegates Waldstreicher, Anderson, Dumais, Rosenberg, and  
Valderrama**

AN ACT concerning

**Correctional Services – Division of Parole and Probation – Supervision Fee**

FOR the purpose of requiring the Department of Public Safety and Correctional Services and the appropriate local detention center, on the release of an individual supervised by the Division of Parole and Probation, to provide the individual with an oral and a written notice relating to the application for an exemption from a certain monthly supervision fee; and generally relating to providing information on exemption from fees paid by individuals supervised by the Division of Parole and Probation.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–702  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 750 – Delegate Simmons**

AN ACT concerning

**Maryland Trust Act**

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; authorizing certain nonjudicial settlement agreements with respect to a trust matter; providing for the role of a court in the administration of a trust; providing that a certain trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; establishing that certain persons may be represented by another person having substantially identical interests, in certain circumstances; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a trustee to combine or divide a certain trust; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of the trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing when a person must commence a judicial proceeding to contest the validity of a certain trust; establishing the method by which a

person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; authorizing cotrustees who are unable to reach an unanimous decision to act by majority decision in certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and power of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring the trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring the trustee to respond promptly to a certain request for information; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; prohibiting a beneficiary from commencing a certain proceeding; providing that a certain trustee is not liable to a certain beneficiary; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of the trustee in certain circumstances; establishing limitations on the liability of a certain trustee; providing for the liability of a certain person that assists or deals with a trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; and generally relating to trusts.

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–113 and the subtitle “Subtitle 1. General Provisions”  
Annotated Code of Maryland



(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2001 Replacement Volume and 2010 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1003 to be under the new title “Title 14.5.  
Maryland Trust Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2003 Replacement Volume and 2010 Supplement)

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

**House Bill 751 – Delegates Luedtke, Barkley, Carr, Frick, Kaiser, S. Robinson,  
Rosenberg, and Waldstreicher**

AN ACT concerning

**Agriculture – Jane Lawton Farm–to–School Program – Reporting**

FOR the purpose of requiring each local educational agency participating in the Jane Lawton Farm–to–School Program to report by a certain date each year to the Department of Agriculture the types and amounts of farm products purchased from farms in the State; and generally relating to reporting requirements for the Jane Lawton Farm–to–School Program.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 10–1601

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 752 – Delegates Barkley, Anderson, Arora, Barnes, Clagett,  
Clippinger, Cluster, DeBoy, Dumais, Dwyer, Gilchrist, Glass, K. Kelly,**

**Lee, McComas, McDermott, Mitchell, Parrott, Simmons, Smigiel, Valderrama, Vallario, and Waldstreicher**

AN ACT concerning

**Maryland Correctional Enterprises – Prohibiting Access to Personal Information**

FOR the purpose of prohibiting certain programs developed for Maryland Correctional Enterprises from allowing inmates to have access to certain personal information; defining certain terms; and generally relating to Maryland Correctional Enterprises and inmate access to personal information.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–511  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 753 – Delegate McDonough**

AN ACT concerning

**Procurement – Use of Federal Work Authorization Programs**

FOR the purpose of requiring certain State and local entities to register and participate in a federal work authorization program and post certain information on a Web site; prohibiting certain State or local entities from entering into certain contracts with contractors that are not registered with or authorized to use a federal work authorization program; requiring certain State or local entities to require contractors to submit affidavits with certain information; requiring certain contractors and subcontractors to be registered with a federal work authorization program and participate in the program to verify the eligibility of certain employees to work in the United States; requiring certain contractors to submit affidavits with certain information to certain State and local entities; requiring certain State and local entities to keep certain affidavits for a certain length of time; providing that, except under certain circumstances, an affidavit is a public record; prohibiting certain false, fictitious, or fraudulent statements in certain affidavits; establishing certain sanctions; requiring the Board of Public Works to adopt certain regulations and conduct a certain review of a certain number of procurements each year; defining certain terms; and generally relating to procurement and federal work authorization programs.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–107 to be under the new title “Title 20. Use of  
Federal Work Authorization Programs”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 754 – Delegates Hucker, Arora, Bobo, Carr, Frush, Gilchrist,  
Holmes, A. Kelly, Luedtke, McIntosh, S. Robinson, Stein, and  
Washington**

AN ACT concerning

**Agriculture – Commercial Feed – Arsenic Prohibition**

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; and generally relating to the contents of commercial feed.

BY adding to

Article – Agriculture

Section 6–107.3

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 755 – Delegates K. Kelly, Beitzel, Kramer, and Myers**

**EMERGENCY BILL**

AN ACT concerning

**Gaming – Video Lottery Terminals – Allegany County**

FOR the purpose of altering the distributions of video lottery terminal proceeds from a video lottery facility in Allegany County under certain circumstances; repealing certain provisions relating to a distribution of video lottery terminal proceeds to a video lottery operation licensee in Allegany County that would otherwise go to the Racetrack Facility Renewal Account; making this Act an emergency measure; and generally relating to video lottery terminals and video lottery terminal proceeds.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–27(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 756 – Delegates Oaks, Anderson, Branch, Carter, Clippinger, Conaway, Glenn, Hammen, Harrison, Haynes, McHale, McIntosh, Mitchell, B. Robinson, Rosenberg, Stukes, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Binding Arbitration – Police Officers**

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; authorizing a certain party to request arbitration by a certain board of arbitration if a certain agreement is not reached by a certain date; authorizing certain collective bargaining negotiations to continue until the first day of arbitration; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; authorizing the board of arbitration to order the implementation of a certain proposal or to modify certain final offers to develop a new agreement; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; establishing a certain cap on the cost of an arbitration proceeding to be paid by the City of Baltimore in a fiscal year; providing for a delayed effective date; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (55)  
(2007 Replacement Volume, as amended)

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

**House Bill 757 – Delegates Mitchell, Alston, Clippinger, Conaway, Cullison, Frick, Haynes, A. Kelly, Oaks, Rosenberg, Stukes, Summers, Washington, and Zucker**

AN ACT concerning

**Maryland Higher Education Commission – Development of an Educational Program to Aid Unemployed State Residents**

FOR the purpose of requiring the Maryland Higher Education Commission to develop a certain educational and training program to meet the needs of unemployed State residents; requiring the Commission to establish a certain advisory committee; specifying the duties and staffing of the advisory committee; requiring that the advisory committee include representatives from certain organizations; requiring the Commission, on or before a certain date each year, to submit a certain report to the Governor and certain committees of the General Assembly; requiring a community college or private career school that participates in a certain program to leverage certain funds in applications for certain federal funds; and generally relating to the development of an educational program to aid unemployed State residents by the Maryland Higher Education Commission.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–101(c), (g), and (h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 11–407  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 758 – Delegates Mitchell, Alston, Barve, Branch, Clippinger, Cullison, Frick, Haynes, A. Kelly, A. Miller, Oaks, Rosenberg, Stukes, Summers, F. Turner, Valentino–Smith, Walker, and Washington**

AN ACT concerning

**Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program**

FOR the purpose of establishing the Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program; requiring the Office of Student Financial Assistance to assist in the repayment of any federal or State higher education loan owed by a resident of the State who meets certain requirements; specifying that certain loan assistance may only be used to repay certain higher education loans; specifying the amount of assistance that may be awarded; specifying that an individual awarded assistance may only receive assistance for a certain number of years; specifying that the

assistance awarded to an individual, when combined with certain other assistance, may not exceed a certain amount; requiring the Office to adopt certain regulations; requiring that funds for the Program be provided on an annual basis in the State budget; requiring the Office to submit a certain report on or before a certain date each year to the Governor and certain committees of the General Assembly; defining certain terms; and generally relating to the Green Technology, Life Science, and Health Information Technology Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 18–101(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 18–2901 through 18–2906 to be under the new subtitle “Subtitle 29.  
Green Technology, Life Science, and Health Information Technology Loan  
Assistance Repayment Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 759 – Delegates Waldstreicher, Bobo, Carr, Cullison, Frick, Frush, Gilchrist, Glenn, Healey, Hixson, Hubbard, Hucker, A. Kelly, Lee, Luedtke, McHale, Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Tarrant, Washington, and Zucker**

AN ACT concerning

**Healthy Kids, Healthy Maryland – Toxic Chemical Identification and Reduction**

FOR the purpose of requiring the Department of the Environment (Department), in consultation with the Department of Health and Mental Hygiene, to publish on its Web site lists of certain chemicals of concern and certain priority chemicals designated in accordance with certain criteria on or before certain dates; providing for the updating of the lists at certain intervals; requiring the Department to include elemental mercury and mercury compounds on a certain list of priority chemicals; requiring certain manufacturers and distributors, within a certain time frame, to provide a certain notice related to the presence of certain priority chemicals in certain children’s products to the Department, including certain information; authorizing the Department to require certain additional information to be included in the notice; requiring the Department, with a certain exception, to make information contained in the notice available

to the public; providing a process for the classification and protection of certain proprietary information; authorizing the Department to share certain proprietary information with other State and federal agencies for a certain purpose, and to aggregate and redact certain information for a certain purpose; authorizing the Secretary of the Environment to waive certain notice requirements if the Secretary makes a certain determination; authorizing a trade organization to provide certain notice on behalf of certain members if a certain condition is met; authorizing the Department to extend the deadline to provide certain notice; authorizing the Department to impose a certain fee in a certain amount by regulation; providing that the fee is due at a certain time; authorizing the Department, by regulation, to prohibit the manufacture, sale, offer for sale, and distribution of certain children's products if the Department makes a certain determination; requiring the Department, on or before a certain date, and at certain intervals thereafter, to identify a certain number of certain priority chemicals whose presence in certain children's products will trigger certain prohibitions; authorizing the Department to require the use of certain alternatives to certain priority chemicals for a certain purpose; authorizing the Department to make certain presumptions for a certain purpose; requiring certain manufacturers and distributors, within a certain time frame, to file a certain compliance plan with the Department in accordance with certain requirements; requiring certain manufacturers and distributors to provide certain notice to certain retail sellers and distributors of certain children's products; establishing a certain process for obtaining a waiver from the requirements of this Act; authorizing the Department to require certain manufacturers or distributors to file a certain certificate of compliance within a certain time frame including certain information; authorizing the Department to participate in an interstate chemical clearinghouse that meets certain criteria; authorizing a certain clearinghouse to maintain certain information on behalf of the State relating to priority chemicals; authorizing the Department to adopt certain regulations as necessary to implement this Act; providing for the application of this Act; defining certain terms; and generally relating to toxic chemicals in children's products.

BY adding to

Article – Environment

Section 6–1401 through 6–1412 to be under the new subtitle “Subtitle 14. Toxic Chemicals in Children's Products”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 760 – Delegates McDonough, Aumann, Dwyer, Elliott, Impallaria, Kach, Kipke, Krebs, McComas, McMillan, O'Donnell, Ready, and Stocksdale**

AN ACT concerning

**State Procurement – Use of Federal E–Verify Program to Prevent  
Employment of Unauthorized Alien Workers**

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers in the performance of public contracts and grants in this State; specifying criteria for mandatory registration in a certain federal E–Verify program for certain contractors and grantees; prohibiting noncompliant persons or entities from performing certain contracts; imposing certain requirements on certain subcontractors; restricting eligibility for prequalification to contractors in compliance with certain provisions of law; creating a safe harbor against debarment for contractors and grantors registered under the E–Verify program; providing for an administrative appeal to the Board of Contract Appeals; and generally relating to the employment of unauthorized alien workers and the federal E–Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–106 to be under the new title “Title 20. Use of the  
Federal E–Verify Program to Prevent the Employment of Unauthorized  
Alien Workers”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 761 – Delegates W. Miller, Afzali, Aumann, Bates, Cluster, Dwyer, Eckardt, Elliott, Haddaway–Riccio, Hershey, Hogan, Hough, Jacobs, K. Kelly, Kipke, McDermott, Minnick, Norman, O’Donnell, Olszewski, Ready, Rudolph, Schuh, Schulz, Serafini, Smigiel, Stifler, Stocksdales, and Szeliga**

AN ACT concerning

**State Government – E–Verify Program**

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers in the performance of public contracts and grants in the State; specifying criteria for mandatory registration in a certain federal E–Verify program for certain contractors and grantees; prohibiting noncompliant persons or entities from performing certain contracts; imposing certain requirements on certain subcontractors; authorizing the Commissioner of Labor and Industry to assess certain penalties for a violation of this Act; providing that the penalties imposed under the authority of this Act do not apply to certain contractors and grantees under certain circumstances;



defining certain terms; and generally relating to the employment of unauthorized alien workers and the federal E-Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–105 to be under the new title “Title 20. Use of the Federal E-Verify Program to Prevent the Employment of Unauthorized Alien Workers”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 762 – Delegate Braveboy**

AN ACT concerning

#### **Insurance – Unfair Claim Settlement Practices – Refusal to Pay a Claim**

FOR the purpose of altering the circumstances under which it is an unfair claim settlement practice and a violation of certain provisions of law for an insurer, nonprofit health service plan, or health maintenance organization to refuse to pay a claim; and generally relating to unfair claim settlement practices under insurance law.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–706(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–303

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 763 – Delegate Feldman**

AN ACT concerning

#### **Insurance – Delivery of Notices by Electronic Means – Authorized**

FOR the purpose of authorizing any notice to an insured or policyholder required under certain provisions of law governing insurance policy cancellations, nonrenewals, premium increases, and reductions of coverage to be delivered by certain electronic means under certain circumstances; providing that delivery of a notice by electronic means shall be considered equivalent to the delivery method required under certain provisions of law; requiring this Act to be construed in a manner consistent with a certain federal law; defining a certain term; and generally relating to delivery of notices to insureds and policyholders.

BY adding to

Article – Insurance

Section 27–601.2

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 764 – Delegates Guzzone, Anderson, Barkley, Clagett, Glenn, Haynes, Healey, Hixson, Jones, Niemann, Tarrant, and V. Turner**

AN ACT concerning

**Higher Education – Use of State Employees Instead of Service Contracts**

FOR the purpose of requiring the University System of Maryland and its constituent institutions, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College to comply with certain procurement requirements relating to service contracts; and generally relating to the procurement rights of certain higher education institutions.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 13–401 through 13–405

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 13–406

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 765 – Delegates Conaway, Alston, Carter, Glenn, Oaks, Stukes, and Washington**

AN ACT concerning

**Attorney Grievance Commission – Surplus Funds and Budget Procedures**

FOR the purpose of requiring any unspent portions of the Disciplinary Fund of the Attorney Grievance Commission to revert to the General Fund of the State; requiring the Commission to submit its budget each year to the Department of Budget and Management; and generally relating to the Attorney Grievance Commission.

BY adding to

Article – Business Occupations and Professions  
Section 10–503  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 766 – Delegates Mizeur, Barkley, Bobo, Carr, Frick, Ivey, Kaiser, Lafferty, Luedtke, McMillan, A. Miller, W. Miller, Pena–Melnyk, Reznik, Ross, Sophocleus, and F. Turner**

AN ACT concerning

**Joint Committee on Transparency and Open Government Act**

FOR the purpose of establishing the Joint Committee on Transparency and Open Government; specifying the membership, chairs, and staff of the Committee; requiring the Committee to hold meetings under certain circumstances; authorizing the Committee to hold certain hearings and to consider certain votes and resolutions; specifying the purposes of the Committee; requiring the Committee to make certain recommendations, review certain laws, programs, services, and policies, consult with certain State entities, and perform certain other duties; requiring the Committee to submit a certain report to the General Assembly on or before a certain date each year; and generally relating to the Joint Committee on Transparency and Open Government.

BY adding to

Article – State Government  
Section 2–10A–14  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 767 – Delegates Conaway, Alston, Glenn, Oaks, and Washington**

AN ACT concerning

**Public Information – Records of Citations Based on Recorded Images –  
Denial of Inspection**

FOR the purpose of requiring, except in certain circumstances, a custodian of records of citations that are issued based on recorded images produced by certain traffic control signal monitoring systems, speed monitoring systems, and work zone speed control systems to deny inspection of the records of the citations; and generally relating to denial of inspection of records of citations based on certain recorded images.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(o)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 768 – Delegates Haynes, Conaway, Glenn, and B. Robinson**

AN ACT concerning

**Bail Bonds – Time of Payment**

FOR the purpose of allowing a defendant in a circuit court or the District Court or a private surety acting for the defendant who posts a bail bond in an amount that is a certain percentage of the penalty amount to deposit part of the amount immediately and the other part within a certain time after the first part of the amount is deposited; and generally relating to bail bonds.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–203(a) and 5–205(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 769 – Delegates Bates, Dwyer, Frank, George, Haddaway–Riccio,  
Kipke, Smigiel, and Stocksdale**

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 10–729  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 770 – Delegates Kramer, Barkley, Reznik, Simmons, Valderrama, and Wilson**

AN ACT concerning

**Family Law – Divorce – Ownership of a Pet**

FOR the purpose of authorizing a court that grants an annulment or a limited or absolute divorce to grant a decree regarding ownership of a pet under certain circumstances; prohibiting the court from ordering either party to make any payment for maintenance or other expenses of the pet to the other party under certain circumstances; defining the term “pet”; and generally relating to determining ownership of a pet in an annulment or divorce proceeding.

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 8–202  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Family Law  
Section 8–202.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 771 – Delegates Bates, Aumann, Barkley, Bobo, Dwyer, Eckardt, Frank, George, Kaiser, Kipke, Krebs, McComas, Norman, and Stocksdale**

AN ACT concerning

**Vehicle Laws – Driving Records and Records of Applications – Designation of Emergency Contacts  
(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

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 772 – Delegates Summers, Ivey, and Niemann**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – African American Museum and Cultural Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s African American Museum and Cultural Center at North Brentwood, 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 773 – Delegates Kramer, Aumann, Barkley, Beitzel, Bromwell, Cluster, Haddaway–Ricchio, Jameson, K. Kelly, McComas, Minnick, Olszewski, Ready, Stocksdale, Vaughn, and Wood**

AN ACT concerning

**Criminal Law – Felony Theft – Threshold Value**

FOR the purpose of altering the minimum value of property or services the theft of which renders the crime a felony; applying certain penalties; making conforming changes; and generally relating to theft of property or services.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 7–104(g)(1), (2), and (4) and 7–108(a)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 7–104(g)(3)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 774 – Delegates Love, Anderson, Barkley, Barnes, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Cane, Carr, Clagett, Conway, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elliott, Feldman, Frank, Frush, George, Haddaway–Ricchio, Hogan, Hough, Impallaria, Jameson, Jones, Kach, Kaiser, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, W. Miller, Minnick, Myers, Norman, O'Donnell, Olszewski, Pena–Melnik, Pendergrass, Ready, Rosenberg, Rudolph, Schuh, Schulz, Serafini, Smigiel, Sophocleus, Stifler, Stocksdale, Szeliga, Walker, 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 taxation of certain retirement income.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 775 – Delegates Love, Barkley, Barnes, Beidle, Bohanan, Bromwell, Costa, Donoghue, Dwyer, Frush, Gaines, George, Jameson, Kipke, McConkey, O'Donnell, Schuh, and Sophocleus**

AN ACT concerning

**Income Tax – U.S. Government Employees' Foreign Earned Income**

FOR the purpose of repealing a certain limitation on the application of 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; providing for the application of this Act; 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  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(w)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 776 – Delegates Love, Barnes, Beidle, Costa, Frush, Kipke, Pena–Melnik, and Sophocleus**



AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Andover Field Renovations**

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 Andover Football League, Inc. and 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 777 – Delegates Bates, Dwyer, Eckardt, Frank, George, Haddaway–Riccio, Hough, McComas, and Stocksdales**

AN ACT concerning

**Great Preschools Scholarship Program**

FOR the purpose of establishing the Great Preschools 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 money; 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 Great Preschools 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. Great Preschools Scholarship Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 778 – Delegates Mizeur, Smigiel, Ross, Alston, Barkley, Bobo, Carr, Frick, Gaines, Hixson, Hubbard, Jameson, Jones, Kaiser, A. Kelly, Lee, Luedtke, McIntosh, A. Miller, Murphy, Nathan–Pulliam, Pena–Melnik, and Reznik**

AN ACT concerning

### **Family Planning Works Act**

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; making this Act subject to a certain contingency; 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  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 779 – Delegates McComas, Afzali, Alston, Barkley, Boteler, Cluster, George, Glass, Impallaria, McDonough, W. Miller, Ready, B. Robinson, and Simmons**

AN ACT concerning

### **Crimes – Manslaughter by Vehicle – Definition of “Operating”**

FOR the purpose of defining the term “operating”, for purposes of a certain provision of law stating the elements of the felony of manslaughter by vehicle, to include certain acts involving loading, unloading, or securing a load on a vehicle or attaching equipment to a vehicle and certain acts required by law of a person driving, operating, or controlling a vehicle; and generally relating to the felony of manslaughter by vehicle.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–209

Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 780 – Delegate Conaway**

AN ACT concerning

**Sales and Use Tax – Surcharge – Alcoholic Beverages**

FOR the purpose of imposing a supplemental surcharge on the sale of alcoholic beverages in the State; establishing the amount of the surcharge; and generally relating to imposing a supplemental surcharge on the sale of alcoholic beverages in the State.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 1–101(s) and 11–102  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 11–104(g)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 781 – Delegates McComas, Haddaway–Ricchio, Eckardt, Barkley, Cluster, Dwyer, Frank, George, Glass, Impallaria, Kipke, McDonough, W. Miller, Parrott, and B. Robinson**

AN ACT concerning

**Crimes – Distribution of Salvia Divinorum – Prohibition and Penalties**

FOR the purpose of expanding a certain prohibition on the distribution of Salvia divinorum to apply to all persons; repealing a prohibition on the possession of Salvia divinorum by a person under a certain age; repealing a provision establishing a certain defense for a violation of the prohibition on distributing Salvia divinorum; establishing and altering penalties for a violation of this Act; repealing a prohibition on the preemption of a local or municipal law regulating the use, possession, or distribution of Salvia divinorum or Salvinorin A; repealing certain provisions of law relating to the issuance and adjudication of a citation for a violation of the prohibition against the distribution of Salvia

divinorum to an individual under the age of 21 years; and generally relating to Salvia divinorum.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–130 and 10–131  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing  
Article – Criminal Law  
Section 10–132 and 10–133  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 782 – Delegates Reznik, Bohanan, Branch, Costa, Donoghue, Jameson, Kipke, Krebs, McDonough, Nathan–Pulliam, Oaks, Pena–Melnyk, Tarrant, V. Turner, and Wood**

AN ACT concerning

**Health Occupations – 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 exclude magnetic resonance imaging services, computed tomography scan services, and radiation therapy services unless certain conditions are met; altering certain exceptions to certain patient referral prohibitions; requiring a certain written statement to include certain information about health care entities that provide magnetic resonance imaging services, computed tomography scan services, and radiation therapy services under certain circumstances; requiring health care entities that provide magnetic resonance imaging services, computed tomography scan services, or radiation therapy services on or after a certain date to be accredited by certain organizations; requiring a health care entity that becomes accredited to maintain its accreditation, provide services in conformity with certain standards, and make available evidence of its accreditation; defining a certain term; and generally relating to the provision of 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

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations

Section 1–701 to be under the new subtitle “Subtitle 7. Accreditation of Business Entities That Furnish Magnetic Resonance Imaging Services, Computed Tomography Scan Services, and Radiation Therapy Services”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 783 – Delegates Reznik, Anderson, Barkley, Beidle, Bobo, Boteler, Bromwell, Carr, Clagett, Cullison, DeBoy, Donoghue, Dumais, Feldman, Frick, Frush, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, A. Miller, Mizeur, Nathan–Pulliam, Oaks, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Rudolph, Simmons, Sophocleus, Stein, Stocksdale, F. Turner, V. Turner, Valderrama, and Waldstreicher**

AN ACT concerning

**Health Insurance – Coverage for 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 certain treatment of autism spectrum disorders; authorizing certain treatment for autism spectrum disorders to be provided by certain individuals; clarifying that certain provisions of this Act may not be construed as limiting certain benefits otherwise available to an individual; prohibiting certain limits on visits to an autism services provider; clarifying that certain provisions of this Act may not be construed to prohibit certain utilization review; requiring a certain notice; 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 a certain determination constitutes an adverse decision under certain provisions of law; 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 health insurance coverage for autism spectrum disorders.

BY adding to

Article – Insurance  
Section 15–845  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 784 – Delegates Pendergrass, Costa, Elliott, Kach, A. Kelly, Kipke, Nathan–Pulliam, Pena–Melnyk, and Tarrant**

AN ACT concerning

#### **Medical Records – Health Information Exchanges**

FOR the purpose of authorizing the Maryland Health Care Commission to adopt regulations for the privacy and security of protected health information obtained or released through a health information exchange by certain persons; providing that the regulations may not apply to protected health information exchanged between and among certain persons; requiring the Commission to consult with certain persons before adopting the regulations; requiring certain payors that release protected health information through a health information exchange to certain health care providers to connect and provide the protected health information electronically to the health information exchange designated by the Commission and the Health Services Cost Review Commission under a certain provision of law; providing that the existence of a health information exchange does not, in itself, change a certain standard of care for obtaining or releasing protected health information; providing that, in certain actions, a health information exchange or a health care provider may not be held liable based solely on certain actions relating to a health information exchange, except under certain circumstances; providing that certain provisions of this Act do not create a new cause of action against a health information exchange or a health care provider; defining certain terms; and generally relating to obtaining and releasing protected health information through a health information exchange.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General  
Section 4–302.2, 4–302.3, and 4–302.4  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 785 – Delegates Haynes, Anderson, Branch, Carter, Conaway, Glenn, Gutierrez, Oaks, B. Robinson, Tarrant, and Washington**

AN ACT concerning

**Sustainable Communities Tax Credit – Residential Units for Lower–Income Individuals**

FOR the purpose of making certain rehabilitations ineligible for the Maryland Sustainable Communities 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 Sustainable Communities 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  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 786 – Delegates Conaway, Alston, Oaks, and Stukes**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Penalties**

FOR the purpose of altering the maximum civil penalty that may be imposed for violations of certain highway speed laws that are recorded by certain speed monitoring systems and work zone speed control systems; and generally relating to speed monitoring systems, work zone speed control systems, and penalties.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–809(c) and 21–810(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 787 – Delegates Kramer, Arora, Barkley, Dumais, Frick, Hixson,  
Hucker, Luedtke, Reznik, Simmons, Valderrama, and Wilson**

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; 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 who has permanent absentee ballot status to notify the local board 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  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 9–305.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 788 – Delegates Kramer, Arora, and Cullison**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Homecrest House**



FOR the purpose of authorizing the creation of a State Debt not to exceed \$225,000, the proceeds to be used as a grant to the Board of Directors of National Capital B'nai B'rith Assisted Housing 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 789 – Delegate Stein**

AN ACT concerning

**Driver's License Applications – Cosigner for Minors – Department of Social Services**

FOR the purpose of requiring a driver's license application of a minor who is committed to the custody or guardianship of a local department of social services to be signed by the director of the department or the director's designee; and generally relating to driver's license applications of minors.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–107  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 790 – Delegates Lee, Cane, Carr, Clagett, Conway, Cullison, DeBoy, Frick, Frush, Gutierrez, A. Kelly, Kipke, McComas, McDonough, A. Miller, B. Robinson, Sophocleus, Stocksdale, Stukes, F. Turner, Valderrama, and Wilson**

AN ACT concerning

**Criminal Law – Home Invasion Violent Crime**

FOR the purpose of prohibiting a person from breaking and entering the dwelling of another and committing a violent crime against a certain victim; establishing certain criminal penalties; authorizing a sentence imposed under this Act to be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the home invasion violent crime; defining a certain term; altering a certain definition; and generally relating to the prohibition of home invasion violent crimes.

BY adding to

Article – Criminal Law

Section 3–1001 to be under the new subtitle “Subtitle 10. Home Invasion  
Violent Crime”

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 14–101(a)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

### **House Bill 791 – Delegate Stein**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2010 – Baltimore County – HopeWell Cancer Support Facility**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to change the location of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA02(U) and Item ZA03(X)

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

### **House Bill 792 – Delegates Rosenberg, Anderson, Branch, Carter, George, Oaks, B. Robinson, Tarrant, and Walker**

AN ACT concerning

#### **Baltimore City Public School System – Charter Management Organizations – Amendments to Collective Bargaining Agreements**

FOR the purpose of authorizing in Baltimore City certain charter management organizations and certain employees to amend the provisions of certain collective bargaining agreements under certain circumstances; requiring certain charter management organizations to propose, present, and inform certain public school personnel of certain amendments; requiring a certain election to be conducted by secret ballot on certain premises during certain hours;

requiring implementation of certain amendments under certain circumstances; providing for the expiration, enforcement, and availability of certain amendments; requiring the adoption of certain regulations; providing for the construction of this Act; defining a certain term; and generally relating to authorizing in Baltimore City charter management organizations to propose amendments to existing collective bargaining agreements in public charter schools.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 9–108  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 9–108.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 793 – Delegates Valentino–Smith, Boteler, DeBoy, Howard, McComas, Minnick, Mitchell, B. Robinson, Stein, F. Turner, V. Turner, Vallario, and Wilson**

AN ACT concerning

**Behavioral Health – Veterans – Coordination and Provision of Services**

FOR the purpose of reenacting certain provisions of law that were abrogated as of a certain date to provide for the continuance of the coordination of certain behavioral health services for certain veterans; requiring the Department of Health and Mental Hygiene, in collaboration with the United States Department of Veterans Affairs, the Maryland Department of Veterans Affairs, the Maryland National Guard, and the Maryland Defense Force, to provide behavioral health services coordination for certain veterans, subject to certain limitations; requiring the Department of Health and Mental Hygiene, subject to certain limitations, to coordinate, provide, and fund certain behavioral health services for certain veterans under certain circumstances; requiring the Department of Health and Mental Hygiene to seek certain reimbursement for certain services; requiring the Department of Health and Mental Hygiene to separately account for certain funds; defining certain terms; and generally relating to the coordination and provision of behavioral health services for veterans.

BY adding to

Article – Health – General

Section 13–2701 and 13–2702 to be under the new subtitle “Subtitle 27.  
Behavioral Health Services for Maryland Veterans”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 794 – Delegates Valentino–Smith, Alston, Dumais, McDermott, Mitchell, and Vallario**

AN ACT concerning

**Division of Parole and Probation – Pre–Parole Investigations for Inmates of Local Facilities**

FOR the purpose of requiring the Division of Parole and Probation to complete and submit to the Parole Commission the results of pre–parole investigations of certain inmates in local correctional facilities within a certain number of days of the inmates’ commitment for the purpose of enabling the Parole Commission to determine the advisability of granting parole to those inmates; and generally relating to eligibility for parole.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 7–301(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 47)

**ADJOURNMENT**

At 10:33 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 11, 2011.

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**Annapolis, Maryland**  
**Friday, February 11, 2011**

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The House met at 11:06 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 131 Members present.

(See Roll Call No. 48)

The Journal of February 10, 2011 was read and approved.

**EXCUSES:**

Del. Bobo – personal  
Del. Conway – funeral  
Del. Glenn – funeral  
Del. Harrison – medical  
Del. Ivey – personal – family emergency  
Del. McMillan – business  
Del. Mizeur – funeral  
Del. Oaks – funeral

**INTRODUCTION OF BILLS**

**House Bill 795 – Delegates Summers, Davis, Ivey, A. Miller, Mitchell,  
Nathan–Pulliam, and Vaughn**

AN ACT concerning

**Economic Development – Green Business Incentive Zones**

FOR the purpose of authorizing the creation of green business incentive zones in the State; establishing eligibility criteria and factors to be considered by the Secretary of Business and Economic Development in approving the zones; establishing procedures for applying for establishment of the zones and the benefits available in the zones; limiting the number of zones that can be created in a calendar year; authorizing the Secretary to adopt certain regulations to carry out certain provisions of this Act; requiring the Department of Business and Economic Development to consider whether a project is located in certain

areas when considering whether to provide financial assistance to the project; requiring the Secretary and the State Comptroller to assess annually the effectiveness of certain tax credits provided to certain businesses located in a green business incentive zone and submit a certain report; establishing a certain credit against the State income tax for certain businesses located in a green business incentive zone; establishing a certain credit against certain property taxes imposed on certain real property located in a green business incentive zone; requiring a local governing body to certify to the Department of Assessments and Taxation the real properties in a zone that qualify for a tax credit and the date of qualification; requiring the Department to submit certain information to a local governing body before tax bills are sent; requiring the State to remit funds to a county or municipal corporation to offset a certain amount of property tax revenues not collected by the county or municipal corporation because of the property tax credit; defining certain terms; and generally relating to green business incentive zones and the benefits available in green business incentive zones.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–102 and 5–105  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY adding to  
Article – Economic Development  
Section 5–1401 through 5–1408 to be under the new subtitle “Subtitle 14. Green  
Business Incentive Zones”  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY adding to  
Article – Tax – General  
Section 10–702.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Tax – Property  
Section 9–103.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 796 – Delegate Rudolph**

AN ACT concerning

**Maryland Transit Administration – MARC Penn Line Extension**

FOR the purpose of requiring the Maryland Transit Administration, in consultation with the Delaware Transit Corporation, to conduct a certain study and create a plan for extending the Maryland Area Regional Commuter (MARC) Train passenger railroad service on the Penn line from Perryville, Maryland to Newark, Delaware; requiring the Administration to submit a certain report to the Governor and General Assembly by a certain date; and generally relating to passenger railroad service and the Maryland Transit Administration.

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

**House Bill 797 – Delegates McConkey, Cluster, Dwyer, and Kipke**

AN ACT concerning

**Officers of the Court – Criminal Offenses – Reporting and Investigation**

FOR the purpose of requiring the Commission on Judicial Disabilities and the Attorney Grievance Commission to refer certain matters to the Office of the State Prosecutor under certain circumstances if there are reasonable grounds to believe that an officer of the court may have committed a criminal offense; requiring certain evidence to be made available to the Office of the State Prosecutor; authorizing the State Prosecutor to investigate a criminal offense alleged to have been committed by an officer of the court; and generally relating to criminal offenses committed by officers of the court.

BY adding to

Article – Courts and Judicial Proceedings

Section 13–404; and 13–701 to be under the new subtitle “Subtitle 7.  
Miscellaneous”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 14–107

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 798 – Delegates McConkey and George**

AN ACT concerning

**Anne Arundel County – Property Tax Payment Deferral – Eligibility**

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel 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 Anne Arundel 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; providing for the application of this Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to

Article – Tax – Property

Section 10–204.6

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 799 – Delegates Carter, Conaway, McComas, Simmons, and Washington**

AN ACT concerning

**Estates and Trusts – Tenancy by the Entirety Property – Transfer to Trustee or Trustees**

FOR the purpose of expanding the application of a certain immunity from claims of creditors, relating to former tenancy by the entirety property and proceeds of that property, to include conveyances to multiple trustees or multiple trusts; limiting the application of a certain immunity from claims of creditors to an instrument of conveyance that contains a certain provision; providing that a certain immunity may be waived as to certain creditors or certain property; providing that certain provisions of law apply only to tenancy by the entirety property conveyed to a trustee or trustees on or after a certain date; clarifying language; providing for the application of this Act; and generally relating to a certain immunity from claims of creditors for certain former tenancy by the entirety property and proceeds of that property under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 14–113



Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

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

**House Bill 800 – Delegates Clippinger, Hammen, and McHale**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Star–Spangled Banner Flag House**

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 Star Spangled Banner Flag House Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund in certain installment amounts; 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 801 – Delegates Valentino–Smith, Alston, Healey, Parrott, Simmons, V. Turner, Vallario, Washington, and Wilson**

AN ACT concerning

**Criminal Procedure – Victims’ Rights – Enforcement**

FOR the purpose of expanding the applicability of certain appeal rights from a victim of a violent crime to a victim of a crime; authorizing a certain victim to appeal to the Court of Special Appeals from a certain final order; providing that the filing of a certain appeal or application for leave to appeal does not stay certain other proceedings unless the court finds that the accused’s rights to a speedy trial or adjudication will not be violated; requiring a certain court to ensure that a certain victim is afforded the rights provided by law in a certain court proceeding; providing that, if a court finds that a victim’s right was not considered or was denied, the court may grant the victim relief provided the remedy does not violate a defendant’s or child respondent’s certain constitutional right; prohibiting a court from providing a remedy that modifies a certain sentence or commitment unless the victim requests relief from a violation of the victim’s right within a certain number of days of the alleged violation; providing for the application of this Act; and generally relating to victims’ rights.

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

Section 11–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **House Bill 802 – Delegate Stocksdale**

AN ACT concerning

#### **Vehicle Laws – Required Security – Provision of Evidence**

FOR the purpose of requiring an operator of a vehicle that a police officer detains for certain suspected violations, on request, to provide certain information regarding required vehicle security to the police officer; authorizing a police department to take into custody certain vehicles for which certain persons fail to provide evidence of required security; making certain stylistic changes; and generally relating to the provision of evidence of required vehicle security.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 17–103 and 17–104(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 17–109 and 25–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 803 – Delegates Valentino–Smith, Anderson, Dumais, Haynes, Healey, A. Kelly, Mitchell, Nathan–Pulliam, Rosenberg, Simmons, Summers, V. Turner, and Washington**

AN ACT concerning

#### **Criminal Law – Possession of a Handgun – Institutions of Higher Education and Hospitals**

FOR the purpose of prohibiting a person from committing a certain violation relating to wearing, carrying, or transporting a handgun while on or in the property of an institution of higher education where postsecondary courses are conducted or on or in the facility of a hospital; establishing a certain penalty for a violation of

this Act; and generally relating to the offense of wearing, carrying, or transporting a handgun.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(a)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 4–203(c)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–101(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–301(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 804 – Delegate Haddaway–Riccio**

AN ACT concerning

#### **Vehicle Laws – Registered Sex Offenders – Drivers’ Licenses and Identification Cards**

FOR the purpose of requiring the Department of Public Safety and Correctional Services, within a certain period of time after receiving a certain sex offender registration statement, to send a copy of the registration statement to the Motor Vehicle Administration; requiring the Administration on receipt of the registration statement to place a notation in a code known to law enforcement on a driver’s license or identification card issued or reissued to the individual who is the subject of the registration statement indicating that the individual is registered on a certain sex offender registry; prohibiting the removal of a certain notation unless the Department provides a certain written notice to the Administration; and generally relating to the individuals registered on the sex offender registry.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(p)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 174 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–713  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 12–303.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 805 – Delegates Alston, Afzali, Anderson, Beidle, Burns, Carter, Conaway, Cullison, Griffith, Howard, Jacobs, K. Kelly, Lee, McComas, McDermott, Nathan–Pulliam, Smigiel, V. Turner, Vallario, Vaughn, Vitale, Walker, and Washington**

AN ACT concerning

### **Domestic Violence – Timely Reporting**

FOR the purpose of requiring a petition for a protective order to be filed within a certain period of time after the alleged act of abuse on which the petition is based; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 806 – Delegate Niemann**

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; 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 and a certain assessment of points 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, 16–402(a)(12), 16–404.1(b)(3) and (4), and 27–101(c) and (h)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing

Article – Transportation

Section 16–402(a)(31)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation

Section 27–101(ee)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY renumbering

Article – Transportation

Section 16–402(a)(32) through (38), respectively  
to be Section 16–402(a)(31) through (37), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 807 – Delegates McHale and Hammen**

AN ACT concerning

**Labor and Employment – Health Care Personnel Training Fund**

FOR the purpose of establishing the Health Care Personnel Training Fund as a special fund to be used to provide grants to certain training consortiums; and generally relating to the Health Care Personnel Training Fund.

BY adding to

Article – Labor and Employment

Section 11–1015

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 808 – Delegate Haddaway–Riccio**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Income Tax Checkoff**

FOR the purpose of establishing an income tax checkoff for the Maryland Strategic Energy Investment Fund; requiring the Comptroller to include a checkoff on individual income tax return forms for voluntary contributions to the Fund and to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; adding to the sources of funding for the Fund; providing for the application of this Act; and generally relating to an income tax checkoff for contributions to the Maryland Strategic Energy Investment Fund.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–20B–05(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20B–05(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Tax – General  
Section 2–114 and 10–804(j)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**House Bill 809 – Delegates Afzali, Barkley, Bates, Clagett, Frick, Hough, Jacobs, Kaiser, Kramer, McConkey, McDermott, Niemann, Otto, Ready, Rosenberg, Smigiel, and Valderrama**

AN ACT concerning

**Agriculture – Honey – Labeling**

FOR the purpose of prohibiting a person from labeling a certain product as honey unless the product meets a certain standard; authorizing a person to label a certain product as a honey blend under a certain circumstance; authorizing the Department of Agriculture to examine a certain product for a certain purpose under a certain circumstance; requiring the Department to charge a certain person a certain fee if the Department conducts a certain examination; requiring the Department to give notice of a certain fee to a certain person before conducting a certain examination; authorizing a person who has suffered certain damages to bring an action to recover damages in a certain court; providing that certain damages may not exceed a certain amount; defining certain terms; and generally relating to the regulation of the sale of honey.

BY adding to

Article – Agriculture  
Section 10–1801 through 10–1804 to be under the new subtitle “Subtitle 18.  
Products Sold as Honey”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**House Bill 810 – Delegates Gutierrez, Anderson, Barkley, Beitzel, Bobo, Braveboy, Carr, Conaway, Cullison, Dumais, Feldman, Frick, Frush, Glenn, Haddaway–Ricci, Haynes, Howard, Hucker, Kach, Kaiser, A. Kelly, Lee, Love, Luedtke, McMillan, A. Miller, Nathan–Pulliam, O’Donnell, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Stukes, V. Turner, Valderrama, and Washington**

AN ACT concerning

### **Dropout Prevention Task Force**

FOR the purpose of establishing a Dropout Prevention Task Force; providing for the membership and cochairs of the Task Force; requiring the State Department of Education to staff the Task Force; providing that the members of the Task Force may not receive compensation, but are entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit a certain report to the Governor, the Governor's Office for Children, the General Assembly, and the Joint Committee on Children, Youth, and Families by a certain date; requiring the State Department of Education and the Children's Cabinet to consider the findings and recommendations of the Task Force in the development of plans and programs; providing for the termination of this Act; and generally relating to the Dropout Prevention Task Force.

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

**House Bill 811 – Delegates A. Kelly, Carr, Cullison, Dumais, Feldman, Frick, Gutierrez, Hixson, Hucker, Kramer, Lee, Luedtke, Mitchell, Mizeur, S. Robinson, Waldstreicher, and Zucker**

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 2010 Supplement)

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

**House Bill 812 – Delegates Kramer, Dumais, Hucker, Luedtke, Reznik, Simmons, Valderrama, and Waldstreicher**

AN ACT concerning

#### **Public Schools – Dating Violence – Policy and Disciplinary Standards**



FOR the purpose of adding dating violence to provisions of law requiring the reporting of incidents of certain other conduct by a county board of education; altering the content of a certain form and report, policies, and educational programs to include incidents of dating violence; requiring the State Board of Education to develop, by a certain date, a certain model policy that includes a prohibition on dating violence; altering certain provisions of law granting certain immunity to certain school employees; altering certain provisions of law relating to the legal rights of certain victims; defining certain terms; and generally relating to dating violence in the public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–424 and 7–424.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**House Bill 813 – Delegates Gutierrez, Carr, and Waldstreicher**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Noyes Children’s Library  
Renovations**

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 Trustees of the Noyes Children’s Library 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 814 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Museum of Industry Visitor  
Services Improvements**

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; 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 815 – Delegate A. Kelly**

AN ACT concerning

**Health Insurance – Limit on Copayments**

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations that provide covered benefits subject to a copayment from imposing a copayment that exceeds a specified percentage of the allowed amount established for the covered benefit; establishing a certain exception; making certain provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance and copayments for covered benefits.

BY adding to

Article – Insurance

Section 15–138

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 19–706(kkkk)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 816 – Delegate Dumais**

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; 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 2010 Supplement)

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

### **House Bill 817 – Delegate Mizeur**

AN ACT concerning

#### **Environment – Composting**

FOR the purpose of requiring the Department of the Environment to maintain certain information on its Web site related to composting for certain purposes; requiring the Department, in consultation with the Department of Agriculture and the Maryland Environmental Service, to study certain matters related to composting and to make certain recommendations related to the promotion of composting, including certain information; requiring the Department, on or before a certain date, to report its findings and recommendations under the study to the General Assembly including a certain summary; and generally relating to composting.

BY adding to

Article – Environment

Section 9–1722

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 818 – Delegates Kipke and Hammen**

AN ACT concerning

#### **Manufacturers of Prescribed Products – Payments to Health Care Professionals – Prohibition**

FOR the purpose of prohibiting a manufacturer of certain prescribed products from offering or giving a gift to a health care professional; authorizing exceptions from the prohibition for certain samples, loans of medical devices, articles or journals, scholarships or other support, payments for certain conferences or seminars, honoraria and payment of expenses, costs of certain clinical trials and research projects, payments for certain scientific consulting, payment or reimbursement for certain technical training, royalties, and licensing fees, and donated health care products, under certain circumstances; authorizing the Department of Health and Mental Hygiene to adopt certain regulations; defining certain terms; and generally relating to payments to health care professionals from manufacturers of prescribed products.

BY adding to

Article – Health – General

Section 21–228

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 819 – Delegates Dumais, Afzali, Anderson, Clippinger, Cullison, Glenn, Howard, Lee, A. Miller, Nathan–Pulliam, B. Robinson, and Valderrama**

AN ACT concerning

**Crimes – Definition of Serious Physical Injury – Strangulation and Suffocation**

FOR the purpose of establishing that for certain provisions of law relating to assault, reckless endangerment, the abuse of vulnerable adults, and domestic violence, the definition of “serious physical injury” includes strangulation and suffocation; and generally relating to the definition of serious physical injury.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–201(a), 3–202, 3–204, and 3–604(a)(1), (b), (c), and (d)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–201(d) and 3–604(a)(8)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–701  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 820 – Delegates Dumais, Glenn, Anderson, Aumann, Barnes, Bobo, Clippinger, DeBoy, Feldman, Frush, Haddaway–Ricchio, Jameson, Jones, Kaiser, A. Kelly, Lafferty, Lee, Love, Malone, McIntosh, Mitchell, B. Robinson, S. Robinson, Stocksdale, Valderrama, Valentino–Smith, and Washington**

AN ACT concerning

**Crimes – Domestic Violence Assault**

FOR the purpose of establishing the offense of domestic violence assault; establishing certain penalties for a violation of this Act; establishing certain penalties for a second or subsequent violation of this Act against the same victim; prohibiting a court from suspending any part of certain mandatory minimum sentences; requiring the State to notify a certain defendant within a certain period of time before the trial if the State intends to seek a mandatory minimum sentence; defining a certain term; and generally relating to the offense of domestic violence assault.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–201(a) and (b)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–203.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**House Bill 821 – Delegates Summers, Howard, and V. Turner**

AN ACT concerning

**Hospitals – Medical Harm Disclosure Act**

FOR the purpose of altering certain requirements for hospital licensure; requiring hospitals to report certain medical harm events to the Department of Health and Mental Hygiene; requiring hospitals that have had no medical harm events to make a certain statement to the Department; requiring hospitals to establish a certain patient safety program for certain purposes and to provide an annual summary of the program to the Department; requiring hospitals to inform certain persons of medical harm events, interview certain persons about medical harm events, and include a medical harm event on a death certificate under certain circumstances; requiring the Secretary of Health and Mental Hygiene to appoint an advisory committee to assist the Department in carrying out certain requirements; providing for the composition of the advisory committee; requiring the Department to seek advice from the advisory committee on certain matters; requiring meetings of the advisory committee to be subject to the Open Meetings Act; requiring the Department, with the advice of the advisory committee, to develop certain guidelines and methodologies; requiring the Department to validate the accuracy of certain information with certain frequency; requiring the Department to conduct certain reviews of hospital medical records for a certain purpose; requiring certain methodologies to be disclosed to the public; requiring the Department to have a certain audit conducted with certain frequency by a State university without certain affiliation; requiring the Department to publish certain penalties on its Web site and to issue a certain news release with certain frequency; requiring the Department, on or before a certain date and annually thereafter, to report to the Governor and the General Assembly on medical harm events at each hospital and to publish the report on the Department's Web site; requiring the Department to publish information on its Web site on certain inspections; prohibiting a hospital report and a Department public disclosure from containing certain identifying information; prohibiting a hospital from taking certain actions against certain persons for certain reasons; requiring the Department to assess a certain surcharge on hospitals for a certain purpose; requiring collections from the surcharge to be paid into a certain Fund; establishing the Patient Safety Trust Fund as a special, nonlapsing fund; establishing the contents and uses of the Fund; requiring the State Treasurer to invest the money in the Fund in a certain manner; providing that any investment earnings of the Fund shall be paid into the Fund; requiring expenditures from the Fund to be made only in accordance with the State budget; requiring the Department or its agent to conduct an on-site inspection and complete an investigation under certain circumstances; authorizing the Department to assess a certain penalty under certain circumstances; providing for certain appeals; requiring the Department to adopt certain regulations; establishing a certain short title; defining certain terms; and generally relating to hospitals and the Medical Harm Disclosure Act.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–319(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 19–3C–01 through 19–3C–11 to be under the new subtitle “Subtitle 3C.  
Medical Harm Disclosure Act”

Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 822 – Delegates Haynes, Mitchell, and Stukes**

AN ACT concerning

#### **The Restoring and Sustaining Baltimore City Communities Act of 2011**

FOR the purpose of requiring the Mayor and City Council of Baltimore City to grant, by law, a certain property tax credit against the property tax imposed on certain property located in certain communities in Baltimore City; establishing the amount and duration of the property tax credit; providing for the eligibility requirements of the property tax credit; requiring the Mayor and City Council of Baltimore City to provide certain procedures for granting the property tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–304(c)(1) and (d)(1)(i) and (ii)

Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Tax – Property

Section 9–304(g)

Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 823 – Delegate Krebs**

AN ACT concerning

#### **Sales and Use Tax – Nonprofit Food Vendors – Youth Sporting Events**

FOR the purpose of providing an exemption from the sales and use tax for sales of food, bottled water, soft drinks or carbonated beverages, and candy or confectionery by a nonprofit food vendor at a youth sporting event under certain circumstances; and generally relating to a sales and use tax exemption for sales of certain items by a nonprofit food vendor at a youth sporting event.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 11–206(a)(4)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 11–206(d)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

#### **House Bill 824 – Delegate Krebs**

AN ACT concerning

#### **Sustainable Communities Tax Credit – Certification of Historic Structures and Rehabilitations**

FOR the purpose of requiring the Director of the Maryland Historical Trust under certain circumstances to certify that a certain rehabilitation is a certified rehabilitation under the Sustainable Communities Tax Credit Program; and generally relating to the Sustainable Communities Tax Credit Program.

BY adding to

Article – State Finance and Procurement  
Section 5A–303(b)(8)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

#### **House Bill 825 – Delegate Dumais**

AN ACT concerning

#### **Juvenile Law – Waiver of Jurisdiction – Appeal**



FOR the purpose of repealing a provision providing that an order of the juvenile court waiving its jurisdiction is interlocutory; establishing that an order of the juvenile court waiving its jurisdiction may be appealed to the Court of Special Appeals within a certain period of time; and generally relating to juvenile law and the waiver of juvenile court jurisdiction.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–06  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 826 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Abatement of Nuisances**

FOR the purpose of altering the number of days' advance notice the County Commissioners of Carroll County must give to an owner or occupant of property before removing a certain nuisance or menace; authorizing a property owner or occupant to file an appeal of a certain determination that a nuisance or menace exists to a certain hearing officer or board of appeals within a certain time after receiving notice of the determination under certain circumstances; requiring a hearing officer or board of appeals to hold a certain hearing and issue a certain written decision on the determination of the existence of a nuisance or menace within a certain period of time after receiving an appeal; providing that a decision of a hearing officer or board of appeals that a nuisance or menace to public health or safety exists for certain reasons is final and binding; altering a provision that limits the removal of weeds on certain property to the removal of weeds on land that is within a certain number of feet from the boundary with residential property and that is used for certain purposes; defining certain terms; making conforming changes; and generally relating to the abatement of nuisances in Carroll County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Carroll County  
Section 3–106  
Article 7 – Public Local Laws of Maryland  
(2004 Edition and July 2010 Supplement, as amended)

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

### **House Bill 827 – Delegate Reznik**

AN ACT concerning

**Condominium and Homeowners Associations – Assessments – Increase  
Necessary to Meet Government Requirements**

FOR the purpose of authorizing the board of directors of a condominium or homeowners association to increase the amount of assessments without the approval of the unit owners or lot owners for the purpose of meeting certain financial obligations resulting from the imposition of government charges, fees, or taxes since the adoption of the previous annual budget or providing for certain increased costs resulting from certain changes in laws since the adoption of the previous annual budget; requiring the increase in the amount of assessments to be approved by an amendment to the budget adopted by the board of directors of the condominium or homeowners association at a certain meeting on not less than 10 days' written notice to the unit owners or lot owners; making conforming changes; and generally relating to an increase in the assessment of a condominium or homeowners association necessary to meet government requirements.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109.2, 11–110(b), and 11B–112.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 828 – Delegate Clagett**

AN ACT concerning

**Frederick County – Municipal Corporations – Building Excise Tax**

FOR the purpose of authorizing a municipal corporation in Frederick County to retain the revenue from a building excise tax imposed by Frederick County in the municipal corporation; requiring the county to remit the building excise tax for a building located in a municipal corporation to the municipal corporation; and generally relating to the building excise tax in Frederick County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Frederick County  
Section 2–7–131(E)  
Article 11 – Public Local Laws of Maryland  
(2004 Edition and August 2010 Supplement, as amended)

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

**House Bill 829 – Delegates Mizeur, A. Miller, Bobo, Hucker, Luedtke, and McMillan**

AN ACT concerning

**Renewable Energy for All Act**

FOR the purpose of establishing the Residential Biomass Heating System Grant Program in the Maryland Energy Administration to provide grants to individuals for a portion of the costs of acquiring and installing eligible biomass heating systems; requiring the Administration to administer the Program, establish certain procedures, and impose certain requirements in connection with the Program; authorizing the Administration to award grants not exceeding certain amounts under the Program; authorizing the Administration to award grants for the cost of acquiring and installing certain eligible nonpellet biomass heating systems only under certain circumstances; authorizing the Administration to award a certain trade-in grant, not exceeding a certain amount, under certain circumstances; authorizing the Administration to provide grant applicants with certain information; establishing the Residential Biomass Heating System Special Fund as a special, nonlapsing fund; providing for the purpose, administration, use, and contents of the Fund; requiring the State Treasurer to hold separately, and the Comptroller to account for, the Fund; requiring the State Treasurer to invest the money of the Fund in a certain manner; requiring that investment earnings of the Fund be credited to the Fund; requiring expenditures from the Fund to be made in a certain manner; requiring the Comptroller to distribute into the Fund the sales and use tax collected on the sale of certain firewood; repealing the sales and use tax exemption for sales of certain firewood; defining certain terms; and generally relating to the Residential Biomass Heating System Grant Program and the Residential Biomass Heating System Special Fund.

BY adding to

Article – State Government  
Section 9–2009 and 9–2010  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Tax – General  
Section 2–1302.3  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–1303 and 11–207  
Annotated Code of Maryland

(2010 Replacement Volume)

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

**House Bill 830 – Delegate Impallaria**

AN ACT concerning

**Harford County – Towing and Removing Vehicles – Property Return Agreement**

FOR the purpose of prohibiting in Harford County the Harford County Sheriff's Office or any police department from authorizing a person to tow or remove a certain vehicle unless the person enters into a written agreement with the Harford County Sheriff's Office or police department to return to the vehicle owner, on request of the owner, certain property in or on the vehicle; defining a certain term; and generally relating to the towing and removing of vehicles in Harford County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 25–201(a), (b), and (e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 25–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 831 – Delegates S. Robinson, Arora, Barkley, Braveboy, Carr, Clippinger, Cullison, Frick, Gilchrist, Holmes, Huckler, A. Kelly, Luedtke, A. Miller, Niemann, Reznik, B. Robinson, Wilson, and Zucker**

AN ACT concerning

**Agriculture – Invasive Plants – Prevention and Control**

FOR the purpose of establishing the Invasive Plants Advisory Committee in the Department of Agriculture; providing for the membership and charge of the Committee; providing for the terms of the members; requiring the Committee to elect a chair, a vice chair, and a secretary of the Committee; requiring the Department to provide staff for the Committee; prohibiting a member from

receiving certain compensation, but authorizing a member to receive certain reimbursement; requiring the Secretary of Agriculture to adopt certain regulations by a certain date; prohibiting certain activities involving certain invasive plants under certain circumstances; requiring a person to receive certain approval from the Secretary before engaging in certain activities involving certain invasive plants; requiring the Secretary to take certain action upon finding certain invasive plants; requiring a person to dispose of certain invasive plants in a certain manner; requiring the Secretary to take certain action if certain invasive plants are not disposed of properly; requiring the State's Attorney to institute certain proceedings for certain purposes; requiring the Secretary to issue stop sale orders of certain invasive plants under certain circumstances; authorizing the Secretary to bring an action for injunction under certain circumstances; establishing certain penalties for certain violations under this Act; defining certain terms; and generally relating to the prevention and control of invasive plants.

BY adding to

Article – Agriculture

Section 9.5–101 through 9.5–306 to be under the new title “Title 9.5. Invasive Plants Prevention and Control”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 832 – Montgomery County Delegation**

AN ACT concerning

#### **Montgomery County – Solicitation of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program**

##### **MC 20–11**

FOR the purpose of authorizing the Montgomery County Council to enact a local law to require a person to obtain a certain permit before standing in a median divider or on a sidewalk adjacent to a roadway to solicit money or donations of any kind from the occupant of a vehicle; prohibiting a person from standing, or causing, encouraging, allowing, or petitioning a person to stand in a roadway, median divider, or intersection, or on a sidewalk adjacent to a roadway, 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; prohibiting a local law enacted under this Act from authorizing a permit to be issued to a minor for certain purposes; 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  
(2009 Replacement Volume and 2010 Supplement)

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

### **House Bill 833 – Delegate Norman**

AN ACT concerning

#### **Harford County – Archery Hunting – Safety Zone**

FOR the purpose of establishing for archery hunters in Harford County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Harford County.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **House Bill 834 – Delegate Bates**

AN ACT concerning

#### **Orphans’ Court – Changing References in Annotated Code to Estate Court**

FOR the purpose of changing all references to the orphans’ court in the Annotated Code to the estate court; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the orphans’ courts.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 10–101(f)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings

Section 1–101(c), 1–205(a)(2), 12–101(f), 12–201, 12–308, 12–501(a),  
12–502(a)(1)(i) and (iii) and (b)(2), and 12–701(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 9–210(a)(7)(v)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 1–103(a)(2), 2–101, 2–106(b)(2)(i), (c), (d), (e), (f)(2), and (i), 2–107(b),  
2–108(y)(1), (3), (4), (5), and (7), 2–109(b)(3) and (4), 5–206, 5–403(b),  
5–708(a)(4), 13–105(a) and (c), 13–106, and 13–107  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 2–122(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 7–216(c)(3), 12–101(a)(12), and 15–103(d)(2)(ii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–307(n)(1)(v)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–101(b), 13–302(c), 13–510(a)(3), and 13–511  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 12–105(a)(5) and 12–205(a)(3)  
Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 196  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **House Bill 835 – Delegate Bates**

AN ACT concerning

#### **Child and Spousal Support – Contempt Proceedings – Statute of Limitations**

FOR the purpose of altering the period of time within which a proceeding to hold a person in contempt of court for the person's default in payment of certain child or spousal support must be commenced; and generally relating to the statute of limitations for certain contempt proceedings.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–111  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–102  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 836 – Delegate Bates**

AN ACT concerning

#### **State Personnel – Land Records Employees – Salaries and Benefits**

FOR the purpose of requiring that the operating expenses for the salaries and benefits of the employees of the land records office of the clerk of the circuit court for each county and Baltimore City be paid from the General Fund of the State instead of the Circuit Court Real Property Records Improvement Fund, beginning with a certain fiscal year; and generally relating to the funding for



payment of the salaries and expenses of employees of local land records offices in the State.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 13–603  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 837 – Delegates Smigiel, Cane, Carter, Cluster, Dumais, George, Haddaway–Riccio, Hough, K. Kelly, McConkey, McDermott, W. Miller, and Parrott**

AN ACT concerning

**Courts – Exemption from Execution – Exception for Child Support Arrearage**

FOR the purpose of creating a certain exception to an exemption from execution on a judgment by establishing that a certain percentage of money payable in the event of sickness, accident, injury, or death of a person is subject to garnishment for payment of a child support arrearage; and generally relating to an exception to an exemption from execution for a child support arrearage.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 11–504(b)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 11–504(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**House Bill 838 – Delegate Hogan**

AN ACT concerning

**Residential Real Property Sales – Property Tax Disclaimer**

FOR the purpose of requiring that a certain form developed by the State Real Estate Commission in connection with the sale of residential real property contain a

notice stating the possibility of there being significant differences in the property tax bill previously paid by the seller of the property and the property tax bill of the buyer of the property; and generally relating to sales of residential real property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 10–702(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**House Bill 839 – Delegates Sophocleus, Clippinger, Anderson, Barkley, Burns, Costa, Dwyer, Eckardt, Frank, Frush, George, Haynes, Kipke, Love, McConkey, B. Robinson, Simmons, Wilson, and Wood**

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 2010 Supplement)

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

**House Bill 840 – Chair, Ways and Means Committee (By Request – Departmental – Children, Office for)**

AN ACT concerning

**Children, Youth, and Families – Services to Children with Special Needs**

FOR the purpose of altering a certain State policy relating to children and families; altering the membership of local management boards; altering the membership and chairmanship of the State Coordinating Council for Children; altering the duties of the Council; renaming local coordinating councils to be local care teams; altering the membership of local care teams; altering the duties of local care teams; providing for the administration of local care teams; providing for compensation for certain members of local care teams; altering and repealing certain definitions; defining certain terms; making certain conforming changes; and generally relating to services to children with special needs.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 8–101, 8–102, 8–302, 8–402, 8–403, 8–404, 8–405, 8–406, 8–408, and 8–409

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

BY repealing

Article – Human Services

Section 8–407

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–525(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

### **House Bill 841 – Delegate Kipke**

AN ACT concerning

#### **Health Occupations – Dental Hygienists – Nitrous Oxide**

FOR the purpose of altering the definition of “practice dental hygiene” for purposes of certain provisions of law governing dental hygienists to include administering nitrous oxide and monitoring a patient to whom nitrous oxide is administered; 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; 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), and 4–206  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**House Bill 842 – Delegates Healey, Gilchrist, Glenn, and Lafferty**

AN ACT concerning

**Foreclosed Residential Property – Tenants – Collection of Rent Payments  
– Prior Notice**

FOR the purpose of prohibiting a foreclosure sale purchaser from exercising any right to collect rent payments from a bona fide tenant in possession of a residential property unless the purchaser conducts a certain reasonable inquiry concerning the occupancy of the residential property and serves on each bona fide tenant a certain notice concerning rent payments; providing that a foreclosure sale purchaser waives any claim to rent payments from a bona fide tenant in possession of a residential property before satisfying certain notice requirements; defining certain terms; providing for the application of this Act; and generally relating to the collection of rent payments from tenants in possession of foreclosed residential property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 7–105.1(a)(9) and 7–105.6(b)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property  
Section 7–105.10  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 843 – Delegate Kach**

AN ACT concerning

**State Retirement and Pension System – Optional Retirement Program –  
Membership and Participation**

FOR the purpose of providing that certain employees are not members of the Employees' Retirement or Pension Systems or the Teachers' Retirement or Pension Systems of the State Retirement and Pension System if the employees make certain elections to join a certain other retirement program; requiring that certain participating employers provide certain employees with the opportunity to participate in the optional retirement program of the State Retirement and Pension System; providing that certain supervising employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain supervising employers to administer certain aspects of the participation of certain employees participating in the optional retirement program; providing that certain employees who are hired on or after a certain date are eligible to participate in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a certain period of time; defining a certain term; and generally relating to participation in the optional retirement program of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–201, 30–101, 30–201, 30–202, 30–207, 30–210, 30–301,  
30–302, 30–303, 30–305, and 30–307

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 844 – Delegates A. Miller, Lee, and S. Robinson**

AN ACT concerning

#### **Maryland Green Fuel Initiative – Motor Fuel Taxes – Biodiesel**

FOR the purpose of altering the motor fuel tax rate for certain biodiesel fuel; defining a certain term and altering a certain definition under the motor fuel tax law; and generally relating to the motor fuel tax.

BY adding to

Article – Tax – General

Section 9–101(c–1)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 9–101(h) and 9–305

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 845 – Delegates Stein and Hubbard**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Mephedrone**

FOR the purpose of listing mephedrone and certain similar chemical compounds on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to controlled dangerous substances and mephedrone.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–402(d)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 846 – Delegates Gilchrist, Barve, Simmons, Barkley, Cullison, Dumais, Hixson, Kaiser, A. Kelly, Lee, A. Miller, S. Robinson, and Waldstreicher**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Mental Health Association  
HVAC Replacement**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$75,000, the proceeds to be used as a grant to the Board of Directors of the Mental Health Association of Montgomery County, 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 847 – Delegates Mitchell, Braveboy, Cane, Carr, Gaines, Glenn, Healey, Holmes, Tarrant, Walker, and Wilson**

AN ACT concerning

**Environment – Permitting Process – Environmental Justice Review**

FOR the purpose of requiring the Department of the Environment, in consultation with the Commission on Environmental Justice and Sustainable Communities and the Department of Health and Mental Hygiene, to develop certain 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; 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; authorizing the Department of the Environment to adopt regulations to implement this Act; repealing a certain definition; altering a certain reporting requirement; defining certain terms; providing for a delayed effective date; and generally relating to environmental justice in the State.

BY renumbering

Article – Environment

Section 1–701

to be Section 1–705

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Environment

Section 1–701 through 1–704

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1–705

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 848 – Chair, Environmental Matters Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Department of State Police – Tow Companies**

FOR the purpose of requiring the Department of State Police to establish and maintain a list of tow companies; authorizing the Department to adopt

regulations establishing certain standards for tow companies to be included on the list; and generally relating to the Department of State Police and tow companies.

BY adding to

Article – Public Safety  
Section 2–314  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 849 – Chair, Environmental Matters Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Public Safety – Smoke Detectors and Smoke Alarms**

FOR the purpose of clarifying that a person may sell or install smoke detectors, smoke alarms, and specialized smoke alarms for the deaf and hard of hearing only in accordance with the State Fire Prevention Code; repealing a requirement that each manufacturer that commercially sells or offers for sale a smoke detection system obtain approval of each model of smoke detector from the State Fire Marshal; repealing a certain application fee; and generally relating to smoke detectors, smoke alarms, and smoke detection systems.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 9–105  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 850 – Delegates Frank, Bates, Boteler, Cluster, Eckardt, Hershey, Hough, Jacobs, Krebs, McComas, McConkey, McDermott, W. Miller, Myers, Norman, Otto, Parrott, Ready, Smigiel, and Stocksdale**

AN ACT concerning

**Election Law – Early Voting – Repeal**

FOR the purpose of repealing certain provisions of law relating to early voting; repealing 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; repealing a requirement that each county have a certain number of



early voting centers, based on the number of registered voters in the county; repealing a requirement that the State Board of Elections, in collaboration with the local board of elections in a county, designate the early voting polling centers in that county; repealing requirements that early voting centers be open for voting during a certain period and during certain hours; repealing a requirement that the State Board and the local boards take certain steps to inform voters about early voting and the location of early voting centers; repealing a requirement that the State Board adopt regulations and guidelines for the conduct of early voting; repealing a requirement that local boards pay an election judge for each early voting day that the election judge actually serves; repealing authorization for a voter to cast a provisional ballot at an early voting center; defining a certain term; and generally relating to repealing early voting.

BY repealing

Article – Election Law  
Section 1–101(x) and 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY renumbering

Article – Election Law  
Section 1–101(y) through (ii), respectively  
to be Section 1–101(x) through (hh), respectively  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Election Law  
Section 1–101(ii)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 9–404, 10–101, 10–205, and 10–310(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 851 – Delegate Kach**

AN ACT concerning

**Health Insurance – Carrier Provider Panels – Medical Laboratories**

FOR the purpose of prohibiting certain health insurance carriers from rejecting an application of a medical laboratory for participation on a carrier's provider panel or terminating participation by a medical laboratory on a carrier's provider panel under a certain provision of law if the medical laboratory accepts certain terms and conditions established by the carrier; defining a certain term; and generally relating to health insurance carrier provider panels.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–112(a)(1), (4), (9), and (10)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–112(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 852 – Delegates Mizeur, Holmes, Beidle, Bobo, Carr, Frick, Frush, Gilchrist, Glenn, Healey, Hubbard, Lafferty, Luedtke, McHale, A. Miller, Niemann, Pena–Melnyk, Reznik, B. Robinson, S. Robinson, Stein, and Wilson**

AN ACT concerning

### **The Marcellus Shale Safe Drilling Act of 2011**

FOR the purpose of prohibiting the Department of the Environment from issuing certain permits for the drilling of wells in the Marcellus Shale until certain conditions are met; requiring the Department to consult with the governing body of certain local governments in evaluating certain permits for the drilling of wells in the Marcellus Shale; defining certain terms; and generally relating to natural gas drilling in the Marcellus Shale.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 14–104  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Environment  
Section 14–107.1

Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 853 – Delegates Hixson, Rosenberg, Arora, Barve, Dumais, Feldman, Frush, Gutierrez, Hucker, Luedtke, A. Miller, Mizeur, Reznik, and Summers**

AN ACT concerning

**Tobacco Tax – Rates and Distribution of Revenues**

FOR the purpose of providing that the Tobacco Use Prevention and Cessation Program shall receive funding from the Other Tobacco Products Tax Fund under certain circumstances; requiring money from the Fund to be used to supplement appropriations to the Tobacco Use Prevention and Cessation Program to reach a certain level of funding; requiring the revenue from the tobacco tax on other tobacco products to be deposited into the Fund after certain other distributions; altering the tobacco tax rates on cigarettes and other tobacco products; requiring a wholesaler to report the amount of other tobacco products sold on a tobacco tax return; establishing the Other Tobacco Products Tax Fund; establishing the purpose and uses of the Fund; requiring the Comptroller to administer the Fund; providing that certain unspent or unencumbered funds do not revert to the General Fund; 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 money in the Fund to be used to provide funding to the Tobacco Use Prevention and Cessation Program and the Maryland Medical Assistance Program in a certain manner; requiring the Treasurer to invest the money in the Fund in the same manner as other State money; requiring the investment earnings of the Fund to be deposited into the Fund; providing that money expended from the Fund for the Tobacco Use Prevention and Cessation Program and the Maryland Medical Assistance Program is supplemental; defining certain terms; and generally relating to the taxation of cigarettes and other tobacco products.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13–1002(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1002(d)(1) and 13–1015  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 2–1601 and 2–1602  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 2–1602.1 and 12–401  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1603 and 12–105  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 12–202  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 388 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

**House Bill 854 – Delegates Howard, Cane, Holmes, Luedtke, B. Robinson, and F. Turner**

AN ACT concerning

**Vehicle Laws – Wireless Communication Devices – Enforcement of Prohibitions on Use While Driving**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; and generally relating to the enforcement of prohibitions against the use of a wireless communication device while operating a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 855 – Delegates Elliott, Bates, Beitzel, Boteler, Frush, George, Haddaway–Riccio, Hershey, Hogan, Hough, Impallaria, Kach, K. Kelly, Krebs, McComas, McDermott, McDonough, Myers, O’Donnell, Otto, Parrott, Ready, Schuh, Serafini, Stocksdale, Vitale, and Wood**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; 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)

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 856 – Delegates Barkley, Barnes, Frick, Haddaway–Riccio, Hucker, Jameson, Love, W. Miller, S. Robinson, and Vaughn**

AN ACT concerning

**Gas Companies – Infrastructure Replacement – Surcharge**

FOR the purpose of authorizing a gas company to file a certain plan with the Public Service Commission to recover certain costs associated with certain gas infrastructure replacement projects through a certain surcharge on customers’ bills; stating the intent of the General Assembly; requiring a certain plan to include certain elements; prohibiting a monthly surcharge from exceeding certain amounts for certain classes of gas customers; requiring a gas company to include certain factors when calculating a certain cost; providing a method for calculating a certain pre–tax rate of return on a gas company’s investment in a certain project; requiring the Commission to hold a public hearing before taking final action on a certain plan; requiring the Commission to take final action to approve or deny a certain plan within a certain time period; requiring the Commission to approve a certain plan under certain circumstances; authorizing a gas company to implement a certain plan without the Commission’s approval under certain circumstances; requiring a gas company implementing a certain plan without the Commission’s approval to refund a certain portion of the

surcharge, with interest, under a certain circumstance; prohibiting the Commission from considering certain factors when reviewing a certain plan for approval or denial, except under certain circumstances; requiring a gas company to file an amendment to a certain plan each year with the Commission to adjust the amount of the surcharge for a certain purpose; establishing certain amendment procedures and the duties of a gas company and the Commission if a certain surcharge is adjusted; prohibiting the Commission from reducing the authorized rate of return on common equity or other measure of utility profit as a result of the implementation of a certain plan; requiring a gas company to file a revised rate schedule with the Commission to subtract certain costs from the surcharge total under certain circumstances; defining certain terms; and generally relating to a gas infrastructure replacement surcharge.

BY adding to

Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 857 – Delegates Rosenberg, Carter, Oaks, and Tarrant**

AN ACT concerning

**Construction Contracts – Hiring Agreement**

FOR the purpose of specifically including construction contracts and contracts for the Maryland Economic Development Corporation in the type of contracts that the Board of Public Works and the Department of Human Resources may designate as contracts eligible to include a certain model hiring agreement form; providing the Maryland Economic Development Corporation is not exempt from a certain provision regarding contracts eligible to include a certain model hiring agreement form; requiring the Board to adopt certain regulations; repealing an obsolete reference; and generally relating to hiring agreements and construction contracts.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 13–224  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 10–111(a)  
Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 858 – Delegates Hixson, Barkley, Cardin, Cullison, Feldman, Frush, Gaines, Gilchrist, Holmes, Jameson, A. Kelly, Kramer, A. Miller, Mizeur, Morhaim, Niemann, Reznik, S. Robinson, Rosenberg, Summers, V. Turner, Waldstreicher, and Walker**

AN ACT concerning

**Education – Student Athletes – Concussions**

FOR the purpose of requiring the State Department of Education, in collaboration with certain entities, to develop certain policies and to implement a certain program to provide awareness to certain coaches, school personnel, student athletes, and parents or guardians of student athletes on the risk of concussions and head injuries; requiring a county board of education to provide a certain information sheet to a certain student athlete and parent or guardian; requiring a student athlete and parent or guardian to sign a certain statement; requiring the Department to create a certain information sheet and acknowledgment statement; authorizing the Department to use certain materials; requiring the removal from play of certain athletes under certain circumstances; prohibiting the return to play of certain athletes under certain circumstances until a certain condition is met; requiring certain youth sports programs to provide certain statements of compliance to certain county boards of education; granting certain immunity to volunteer health care providers under certain circumstances; defining certain terms; and generally relating to the development of policies and the implementation of a program on concussions and head injuries.

BY adding to

Article – Education

Section 7–432

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

**House Bill 859 – Delegates Dumais, Clippinger, A. Kelly, Simmons, Valderrama, Waldstreicher, and Wilson**

AN ACT concerning

**Child Abuse – Out of Court Statements of Child Victims**

FOR the purpose of altering the age for the admission into evidence of a certain out of court statement made by a child victim; adding counselors and caseworkers to the list of certain professionals to whom a child victim's out of court statement was made and who may testify concerning the statement; repealing provisions that allow certain out of court statements to be admissible if the child victim does not testify; requiring the child victim to testify as a prerequisite to the admissibility of the child victim's out of court statement; requiring notice to certain individuals of the audio or visual recording of a certain out of court statement by a child victim; limiting the circumstances under which notice of the content of a certain out of court statement by a child victim is required to be provided and under which a certain deposition is authorized; eliminating the requirement that the court examine the child victim in chambers under certain circumstances; and generally relating to out of court statements of child victims.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–304  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 860 – Delegate McHale and the Speaker (By Request – Administration) and Delegates Clippinger, Hammen, Holmes, and Washington**

AN ACT concerning

**Electricity – Net Energy Metering**

FOR the purpose of altering the period during which an eligible customer-generator may accrue certain net excess generation; requiring a certain electric company to carry forward a negative kilowatt-hour reading until a certain accrual period expires; altering how the dollar value of a certain net excess generation is calculated; repealing a requirement that certain generation credit appear on the eligible customer-generator's bill in a dollar amount; requiring an electric company to reimburse certain eligible customer-generators for the dollar value of certain accrued net excess generation on or before a certain date each year; repealing a provision authorizing the Public Service Commission to require a certain eligible customer-generator to install a certain dual meter under certain circumstances; repealing a provision that requires the Commission to develop a certain credit formula; repealing a certain definition; and generally relating to net energy metering and payment for accrued net excess generation.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–306



Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 861 – Delegate Hixson**

AN ACT concerning

**Statewide DNA Data Base System – Results of Court-Ordered Testing**

FOR the purpose of requiring a court to send the results of certain DNA testing to the Crime Laboratory Division of the Department of State Police; requiring certain test results to be stored and maintained by the Crime Laboratory Division in the statewide DNA data base system for use in criminal investigations; and generally relating to the statewide DNA data base system.

BY adding to

Article – Public Safety  
Section 2–504.1  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 862 – 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; providing that a prosecution under this Act does not preclude a certain prosecution for theft; requiring a conviction for a violation of this Act to merge for sentencing purposes into a certain conviction for theft under certain circumstances; 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 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 7–106.1  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 863 – Delegate Niemann**

AN ACT concerning

#### **Task Force to Study Manufactured Housing**

FOR the purpose of establishing the Task Force to Study Manufactured Housing; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation; providing that a member of the Task Force may receive reimbursement for certain expenses; requiring the Task Force to study certain issues; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Manufactured Housing.

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 864 – Delegates Sophocleus, Barkley, and Kipke**

AN ACT concerning

#### **Criminal Law – Felony Child Abuse in the First Degree**

FOR the purpose of expanding the felony of child abuse of a minor to apply it to a family member of a minor and a household member who lives with a minor if the family member or household member is convicted of causing abuse to the minor that results in the death of the minor or causing severe physical injury to the minor; and generally relating to felony child abuse.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–601  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 865 – Delegate Kach**

AN ACT concerning

**Office of Cemetery Oversight – Cemetery Financial Statement –  
Requirements**

FOR the purpose of requiring that a certain financial statement of an existing cemetery business that sells burial goods required to be submitted to the Director of the Office of Cemetery Oversight contain a copy of the balance sheet from the last federal tax return filed by the business or a balance sheet on a certain form; repealing a provision that requires an existing cemetery business that sells burial goods to submit as a part of a required financial statement a certain statement and a certain review prepared by a certified public accountant; and generally relating to the requirements of a cemetery financial statement and the Office of Cemetery Oversight.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–304  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 866 – Delegate Stein**

AN ACT concerning

**Employees’ Retirement System – Purchase of Service Credit – Former  
Members**

FOR the purpose of providing that certain former members of the Employees’ Retirement System may purchase certain service credit in the Employees’ Retirement System; requiring certain former members of the Employees’ Retirement 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; requiring certain former members of the Employees’ Retirement System to complete certain claims and make certain purchases for certain service to the Board of Trustees on or before a certain date; clarifying that, if certain service credit is purchased by certain members of the Employees’ Retirement System, other service credit must be purchased; clarifying that, if certain service credit is purchased by certain members of the Employees’ Retirement System, other service credit is not required to be

purchased; providing for the termination of this Act; and generally relating to the purchase of service credit in the Employees' Retirement System by former members of the Employees' Retirement System.

Read the first time and referred to the Committee on Appropriations.

**House Bill 867 – Delegates Oaks, Carter, Anderson, Clippinger, Conaway, Glenn, Hammen, Haynes, McHale, Mitchell, B. Robinson, Rosenberg, and Stukes**

AN ACT concerning

**Baltimore City – Sale of Property to Enforce Lien for Water and Sewer Service**

FOR the purpose of prohibiting the Mayor and City Council of Baltimore City from selling property to enforce a certain lien for unpaid charges for water and sewer service under certain circumstances; and generally relating to the sale of property in Baltimore City to enforce liens for unpaid charges for water and sewer service.

BY adding to

Article – Tax – Property

Section 14–849.1

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 868 – Delegates Hixson, Barve, Boteler, Frick, Ivey, Kaiser, Luedtke, Ross, Stukes, and F. Turner**

AN ACT concerning

**Video Lottery Operation Licensees – Noninterference**

FOR the purpose of prohibiting a video lottery operation licensee from directly or indirectly interfering with, hindering, obstructing, impeding, or taking any action to delay the implementation or establishment of a video lottery facility by any other video lottery operation licensee or applicant; requiring the State Lottery Commission to adopt regulations to carry out the provisions of this Act; requiring that the regulations adopted by the State Lottery Commission include certain provisions; and generally relating to video lottery facilities and video lottery operation licenses.

BY repealing and reenacting, without amendments,  
Article – State Government

Section 9–1A–24(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 9–1A–24(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 869 – Delegates Hixson, Arora, Barkley, Barve, Feldman, Frick, Gilchrist, Kaiser, Luedtke, A. Miller, Reznik, and F. Turner**

AN ACT concerning

**Education – Maintenance of Effort – Penalty**

FOR the purpose of making the imposition of a penalty for a county's noncompliance with certain maintenance of effort provisions for funding public education applicable in a certain fiscal year; waiving the maintenance of effort penalty for a certain fiscal year; providing for the application of this Act; and generally relating to the maintenance of effort penalty.

BY repealing and reenacting, with amendments,

Article – Education  
Section 5–213  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 870 – Delegate Frank**

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report and Symposium**

FOR the purpose of requiring the Maryland Technology Development Corporation and the Stem Cell Research Commission to report to the public on the progress of State-funded stem cell research by holding a public symposium on or before a certain date each year; requiring recipients of money from the Maryland Stem Cell Research Fund to present the results of State-funded stem cell research at the symposium; prohibiting the Corporation and the Commission from charging an admission fee to State residents attending the symposium; and generally relating to informing the public about State-funded stem cell research.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–442  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 871 – Delegate Frank**

AN ACT concerning

#### **Education – General Assembly Scholarships – Modification of Programs**

FOR the purpose of altering the Senatorial and Delegate Scholarship Programs to require that the money appropriated under the programs be awarded by the Office of Student Financial Assistance in the Maryland Higher Education Commission; requiring the Office to ensure that the awards are distributed in a certain manner and that certain student populations are served; requiring the Office to adopt certain guidelines; requiring that certain awards be apportioned among certain legislative districts; repealing certain provisions of law relating to administering a certain examination for Senatorial Scholarships and awarding Delegate Scholarships for part–time students; making certain stylistic changes; permitting certain recipients to continue to receive awards under certain circumstances; requiring that certain appropriations and unexpended appropriations in certain fiscal years for Senatorial and Delegate scholarships be transferred and distributed to the Office; and generally relating to modifying the Senatorial and Delegate Scholarship Programs.

BY repealing  
Article – Education  
Section 18–502 and 18–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY renumbering  
Article – Education  
Section 18–505, 18–506, and 18–507, respectively  
to be Section 18–504, 18–505, and 18–506, respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 18–114 and 18–502

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–401 through 18–408, 18–501, and 18–503  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–504, 18–505, and 18–506  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Section 2 of this Act)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 872 – Delegates Simmons and Kramer**

AN ACT concerning

**Family Law – Final Protective Order – Global Positioning Satellite Tracking**

FOR the purpose of authorizing a judge to order a respondent to be monitored through global positioning satellite tracking or similar technology as part of a final protective order if the judge finds by clear and convincing evidence that the respondent presents a present risk of abuse to any person eligible for relief; and generally relating to final protective orders and global positioning satellite tracking.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 873 – Delegates Dumais, Alston, Anderson, Barnes, Mitchell, and Valderrama**

AN ACT concerning

**Maryland Civil Litigation Funding Act**

FOR the purpose of establishing that the contingent right to receive a portion of the potential proceeds of a certain legal claim is assignable and that an assignment of that right is valid for certain purposes; establishing certain requirements for a contract for nonrecourse civil litigation funding; establishing that the responsibilities of a certain attorney if a certain dispute arises shall be consistent with the Maryland Rules of Professional Responsibility; establishing that certain communications do not affect certain evidentiary privileges; establishing the fees that a civil litigation funding company may collect; establishing certain prohibitions; requiring each civil litigation funding company to be registered with the Secretary of State; establishing certain requirements for applications for registration and registration renewals; authorizing the Secretary of State to establish certain fees; requiring an application for registration or renewal of registration to be accompanied by the applicable fee; requiring the Secretary of State to issue a certificate of registration under certain circumstances; authorizing the Secretary of State to refuse to issue, or to suspend, revoke, or refuse to renew a certificate of registration under certain circumstances; requiring the Secretary of State to notify the Consumer Protection Division of the office of the Attorney General if the Secretary of State suspends, revokes, or refuses to renew a certificate of registration; authorizing the Division to take certain action; altering the powers and duties of the Division; making a violation of this Act an unfair or deceptive trade practice; requiring each licensed civil litigation funding company to report annually certain information to the Secretary of State; requiring the Secretary of State to adopt certain regulations and submit a certain annual report to the General Assembly; providing for the construction of this Act; defining certain terms; and generally relating to civil litigation funding.

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 13–204(13) and (14) and 13–301(14)(xxvi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law  
Section 13–301(14)(xxvii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article – Commercial Law  
Section 13–204(15) and 13–301(14)(xxviii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government



Section 7–301 through 7–318 to be under the new subtitle “Subtitle 3. Civil  
Litigation Funding”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 874 – Delegate Simmons**

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 875 – Delegate Simmons**

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 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 876 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Single Parent Services – Repeal**

FOR the purpose of repealing provisions of law requiring the Secretary of Human Resources to establish a single parent services program in each local department of social services; repealing related provisions of law; and generally relating to single parent services.

BY repealing

Article – Family Law

Section 6–101 through 6–103 and the title “Title 6. Single Parents”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 877 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development) (By Request – Departmental – Planning)**

AN ACT concerning

**Sustainable Communities, Designated Neighborhoods, and Priority Funding Areas – Miscellaneous Corrections**

FOR the purpose of replacing certain obsolete references to “designated neighborhoods” with references to “sustainable communities”; altering a certain definition of “State priority funding area” to exclude certain areas; excluding certain areas from consideration as priority funding areas under certain provisions of law; providing that certain areas that were designated as priority funding areas on or before a certain date shall retain that designation; altering certain definitions; clarifying language; and generally relating to sustainable communities, designated neighborhoods, and priority funding areas.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 6–301(a)

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 6–301(e) and (f)

Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–217(d), 4–1501(e), 4–1503, and 6–405(d)  
Annotated Code of Maryland  
(2006 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Housing and Community Development  
Section 4–1501(a)  
Annotated Code of Maryland  
(2006 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7B–02  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–228(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–630(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 878 – Delegates Stukes, Conaway, Haynes, Howard, A. Miller,  
B. Robinson, and Rosenberg**

AN ACT concerning

**Criminal Procedure – Explanation of Expungement Provisions Relating to  
Proposed Disposition of Charge**

FOR the purpose of altering a certain provision of law relating to the expungement of criminal records so as to require a court, before disposing of a charge against a defendant, to provide a detailed explanation to the defendant of certain expungement provisions; requiring a court, after providing a certain

explanation, to give a certain defendant the opportunity to reject a certain disposition; and generally relating to expungement.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–232  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 879 – Delegates Sophocleus, Barkley, DeBoy, Frank, McComas, Minnick, Niemann, and Stocksdale**

AN ACT concerning

**Criminal Law – Counterfeiting – Venue**

FOR the purpose of including the county in which an alleged counterfeit deed or other instrument is filed or recorded in a certain manner as a venue to prosecute a certain counterfeiting crime or other crime based on an act that establishes a certain counterfeiting crime; and generally relating to counterfeit deeds or other instruments.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–601  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 880 – The Minority Leader and Delegates Smigiel, Afzali, Aumann, Bates, Beitzel, Boteler, Cluster, Costa, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Ricchio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, McMillan, W. Miller, Myers, Norman, O'Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Stifler, Stocksdale, Szeliga, and Vitale**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Health Care Freedom Act of 2011**

FOR the purpose of adding a new article to the Maryland Constitution to enact limits on the regulation of health care in the State; prohibiting a law from compelling certain persons to participate in a health care system; prohibiting certain persons from being required to pay penalties or fines for not participating in any health care system; authorizing certain persons to pay directly for certain health care services; authorizing a health care provider to accept direct payment for certain health care services; prohibiting certain persons from being required to pay penalties or fines under certain circumstances; specifying that the purchase or sale of certain health insurance may not be prohibited by law; specifying that this Act does not affect which health care services a health care provider is required to perform or provide, which health care services are authorized or not prohibited by law, or the terms and conditions of any health care system under certain circumstances; specifying that this Act does not prohibit health care provided under any law relating to workers' compensation; defining certain terms; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
New Article XX – Regulation of Health Care  
Section 1

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 881 – Delegate S. Robinson**

AN ACT concerning

#### **Agriculture – Waste Kitchen Grease**

FOR the purpose of requiring, with certain exceptions, a person to register with the Department of Agriculture before transporting waste kitchen grease; requiring a certain person to submit a certain application to the Department in a form required by the Department; requiring the application to include certain information and fees; requiring the Department to register certain applicants and issue each registrant certain items; requiring the Department to require each registrant to carry a certain certificate when transporting waste kitchen grease and display certain information in a certain manner on certain vehicles; establishing certain record-keeping requirements; authorizing the Department to suspend or revoke a person's registration if the person has taken certain actions; establishing a Waste Kitchen Grease Fund; requiring the Department to administer the Fund; providing that the Fund is a special, nonlapsing fund; requiring the Treasurer to hold the Fund and the Comptroller to account for the Fund; providing for the sources of funding for the Fund; providing for the use of the Fund; requiring the Treasurer to invest and reinvest the money of the Fund in a certain manner; requiring that any investment earnings of the Fund be paid into the Fund; prohibiting a person from accepting waste kitchen grease

from certain unregistered transporters unless the person keeps certain records and makes the records available to the Department on request; establishing certain restrictions on the taking or carrying away of waste kitchen grease in a container with a certain label and on labeling containers of waste kitchen grease for a certain purpose; providing for certain criminal and civil penalties; providing for certain appeals; providing for delayed enforcement of this Act against a certain person under a certain circumstance; defining certain terms; and generally relating to the regulation of waste kitchen grease.

BY adding to

Article – Agriculture

Section 10–1801 through 10–1810 to be under the new subtitle “Subtitle 18.  
Waste Kitchen Grease”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 882 – Delegate Rudolph**

AN ACT concerning

#### **Gaming – Video Lottery Employees – Licenses**

FOR the purpose of requiring that the State Lottery Commission establish two categories of video lottery employee licenses; requiring that certain categories be based on whether or not certain employees are involved with handling money at certain video lottery facilities; and generally relating to video lottery facilities and video lottery employees.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–14

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 883 – Delegates Norman, Bates, Guzzone, and James**

AN ACT concerning

#### **Business Occupations and Professions – State Board of Plumbing – Membership**

FOR the purpose of altering the membership of the State Board of Plumbing to require that one member be from the area that consists of Carroll and Howard counties

and one member be from the area that consists of Cecil and Harford counties; and generally relating to the membership of the State Board of Plumbing.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–202(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 884 – Delegates Bates, Afzali, Aumann, Beitzel, Cluster, Eckardt, Fisher, Frank, Glass, Haddaway–Riccio, Hough, Jacobs, Kipke, Krebs, McDermott, W. Miller, O’Donnell, Otto, Parrott, Ready, Schuh, Schulz, Smigiel, Stocksdale, and Szeliga**

AN ACT concerning

**State Personnel – Collective Bargaining – Payment of Service Fees**

FOR the purpose of prohibiting collective bargaining for certain State employees from including negotiations relating to the payment of service fees to an employee organization by nonmembers through the automatic deduction of the service fees from the wages of nonmembers; and generally relating to collective bargaining for State employees.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 885 – Delegates Bates, Afzali, Aumann, Cluster, Frank, Glass, Jacobs, Kipke, Krebs, McDermott, W. Miller, Norman, O’Donnell, Otto, Parrott, Ready, Schuh, Smigiel, and Stocksdale**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Orphans’ Court – Change of Name to Estate Court**

FOR the purpose of proposing an amendment to the Maryland Constitution to change the name of each Orphans’ Court in this State to the Estate Court; and

submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 1, 3A(a), 4B(a)(1), 8(c), 18(b)(2), (3), and (4), 20(b), 40(a), (b), (c), and (e), and 41

Read the first time and referred to the Committee on Judiciary.

**House Bill 886 – Delegates Guzzone, Bromwell, Clagett, DeBoy, Reznik, Sophocleus, and F. Turner**

AN ACT concerning

**Creation of a State Debt – Howard County – Linwood 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 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 887 – Delegates Beidle, Alston, Braveboy, Eckardt, George, Holmes, Niemann, and Vitale**

AN ACT concerning

**Real Property – Condominium – Rescission of Sales Contracts**

FOR the purpose of limiting a condominium purchaser's right to rescind in writing a contract of sale based on amended material in a vendor's public offering statement to certain amendments that affect materially and adversely the purchaser's rights; requiring a purchaser to state in writing the purchaser's reason for rescission when it is based on certain amended material in a vendor's public offering statement; stating the intent of the General Assembly; making stylistic changes; and generally relating to the rescission of condominium sales contracts.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–126(a), (b), and (d)

Annotated Code of Maryland



(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–126(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 888 – Delegates Kach, Bromwell, Cullison, Elliott, A. Kelly, Kipke, A. Miller, Olszewski, S. Robinson, and Stocksdale**

AN ACT concerning

**Health Insurance – Prescription Eye Drops – Refills**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for a refill of prescription eye drops under certain circumstances; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance coverage of prescription eye drops.

BY adding to

Article – Health – General

Section 19–706(kkkk)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Insurance

Section 15–845

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 889 – Delegates Barkley, Barnes, Feldman, Hucker, Olszewski, and S. Robinson**

AN ACT concerning

**Workers' Compensation – Temporary Total Disability Benefits – Termination**

FOR the purpose of prohibiting an employer or its insurer from terminating the payment of temporary total disability benefits before the end of a certain period unless the Workers' Compensation Commission has ordered a certain termination date under a certain provision of law; requiring the Commission to order an offset or credit of certain overpayments of compensation under certain circumstances; and generally relating to the payment of temporary total disability benefits.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–621  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 890 – Delegates Kach, Lafferty, and Olszewski**

AN ACT concerning

**Land Preservation – Land Draining to a Reservoir**

FOR the purpose of requiring the Maryland Agricultural Land Preservation Foundation to prioritize certain grants relating to the preservation of land that drains into a reservoir in the State; adding to the list of land conservation priorities that the Secretary of Natural Resources is required to consider in allocating the State's share of funds under Program Open Space; and generally relating to the priorities for land preservation and conservation under the Maryland Agricultural Land Preservation Program and Program Open Space.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–505(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–505(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–903(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–903(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 891 – Delegates Kaiser, Zucker, and Luedtke**

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 allow the authorized uses of a certain grant to include construction, repair, renovation, reconstruction, and capital equipping; extending the deadline for the Board of Directors of the Damascus Heritage Society, Inc. to present evidence that a matching fund will be provided; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2007.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by  
Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AX)

Read the first time and referred to the Committee on Appropriations.

**House Bill 892 – Delegates A. Miller, Beidle, and McComas**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Mephedrone**

FOR the purpose of listing mephedrone and certain similar chemical compounds on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to controlled dangerous substances and mephedrone.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 893 – Delegates Eckardt, Impallaria, Myers, O'Donnell, Parrott, and Serafini**

AN ACT concerning

**Environment – Portable Floating Docks – Exemptions**

FOR the purpose of exempting the installation or repair of certain portable floating docks from a requirement to pay certain fees under the Wetlands and Waterways Program; exempting the installation or repair of certain portable floating docks from certain marine contractor licensure requirements by altering a certain definition; and generally relating to portable floating docks.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 5–203.1(a) and (b)(1) and 17–101(a) and (e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 5–203.1(b)(2) and 17–101(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 894 – Delegates Sophocleus, Barkley, Bates, Clagett, Frick, and Stocksdale**

AN ACT concerning

**State Government – Notaries Public – Fees and Requirements**

FOR the purpose of altering the amount of certain notary public fees that the Secretary of State is required to establish through the adoption of regulations; altering the amount that a notary public may charge as compensation for travel under certain circumstances; requiring a notary public to obtain, and file with the Secretary of State, a surety bond in a certain amount for certain purposes; and generally relating to fees and requirements for notaries public.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–112  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government

Section 18–115

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 895 – Delegates Kaiser, Barkley, Carr, Healey, Hucker, Luedtke, Nathan–Pulliam, B. Robinson, and V. Turner**

AN ACT concerning

**Public Schools – Substitute Teachers – Qualifications, Training, and Study**

FOR the purpose of requiring each county board of education to establish certain qualifications for substitute teachers employed by a county board; requiring a county board to require each substitute teacher to complete a certain orientation and training program; requiring county boards to train certain school administrators in certain issues related to substitute teachers; requiring a county superintendent to develop a certain in–service training program; requiring the State Department of Education to commission a certain study regarding substitute teaching in the State; requiring the study to include certain data; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to qualifications, training, and a study of substitute teachers in public schools.

BY adding to

Article – Education

Section 6–201.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 896 – Delegates Hixson, Barve, Dumais, Gutierrez, Hucker, Kaiser, Lee, Luedtke, A. Miller, Mizeur, Reznik, S. Robinson, and Zucker**

AN ACT concerning

**Criminal Procedure – Inquiry into Immigration Status of Crime Victim or Witness – Prohibition**

FOR the purpose of prohibiting an officer or agent of a State or local law enforcement agency, in connection with the report, investigation, or prosecution of a criminal violation of State or local law, from inquiring into the immigration status of an individual who reports that the individual is a victim of the crime or is the parent or guardian of a minor who is a victim of the crime or is a cooperating witness in the investigation of the crime or the parent or guardian of a minor who is a witness to the crime; providing that this Act does not prohibit a law enforcement officer from inquiring into the immigration status of an individual who is a victim or witness, or the parent or guardian of a minor who is a victim or witness, under certain circumstances; defining a certain term; and generally relating to criminal inquiries into the immigration status of an individual.

BY adding to

Article – Criminal Procedure

Section 11–206

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 897 – Delegates Murphy, Cardin, Beidle, Bohanan, Boteler, Frick, Frush, Howard, Hubbard, Jameson, Love, Mizeur, Reznik, V. Turner, Walker, and Wood**

AN ACT concerning

**Engine Coolant and Antifreeze Bittering Agent Act**

FOR the purpose of prohibiting a person from selling or offering for sale any engine coolant or antifreeze that contains more than a certain percentage of ethylene glycol unless the coolant or antifreeze contains a certain amount of denatonium benzoate; granting immunity from liability to persons that manufacture, process, distribute, recycle, or sell engine coolant or antifreeze with denatonium benzoate in accordance with this Act; providing that this Act does not apply to certain engine coolant or antifreeze sales; establishing a certain penalty for violation of this Act; and generally relating to the sale of engine coolant and antifreeze.

BY adding to

Article – Health – General

Section 22–601 to be under the new subtitle “Subtitle 6. Engine Coolant and Antifreeze Bittering Agent Act”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 898 – Delegate Barnes**

AN ACT concerning

**Bail Bondsmen – Bail Bond Premium Payments – Installment Contracts**

FOR the purpose of authorizing certain bail bondsmen to arrange to accept payment for the premium charged for a bail bond in installments; providing that if a bail bondsman arranges to accept payment of a bail bond premium in installments, the installment agreement shall include certain information; requiring a bail bondsman to secure a certain affidavit of surety containing certain information under certain circumstances; requiring a bail bondsman, if arranging to accept payment of a bail bond premium in installments, to take certain actions and keep certain records; requiring a bail bondsman to keep certain records in a certain location and to make certain records available to the Maryland Insurance Commissioner for inspection; requiring bail bondsmen to certify to the Commissioner at a certain time the accuracy and truth of certain records; providing certain penalties for certain violations of this Act; providing for the applicability of this Act; and generally relating to the regulation of surety bondsmen.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 5–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–302  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 10–309  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Economic Matters.

**House Bill 899 – Delegates Clagett, Anderson, DeBoy, Dumais, Frush, Gaines, Glenn, Guzzone, Haynes, Hixson, Hubbard, James, Jones, K. Kelly, McIntosh, Nathan–Pulliam, Proctor, B. Robinson, Ross, Sophocleus, Valderrama, Vaughn, Walker, and Zucker**

AN ACT concerning

**Division of Parole and Probation – Warrant Apprehension Unit – Powers and Pension System**

FOR the purpose of establishing the Warrant Apprehension Unit within the Division of Parole and Probation; providing that certain employees of the Warrant Apprehension Unit also have certain additional powers; including certain employees of the Warrant Apprehension Unit in the defined term “police officer” in connection with provisions of law relating to the authority to make arrests; including certain employees of the Warrant Apprehension Unit 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; providing for the membership of certain employees of the Warrant Apprehension Unit in the Law Enforcement Officers’ Pension System; requiring the Board of Trustees for the State Retirement and Pension System to transfer certain funds to the Law Enforcement Officers’ Pension System Accumulation Fund; requiring certain members of the Warrant Apprehension Unit to deposit certain amounts in the annuity savings fund of the Law Enforcement Officers’ Pension System; and generally relating to the powers and pension system of certain employees of the Warrant Apprehension Unit of the Division of Parole and Probation.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 6–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 2–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–101 and 3–201  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 26–201, 26–202, and 26–203.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)



BY adding to

Article – State Personnel and Pensions  
Section 26–203.4  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary and the Committee on Appropriations.

### **House Bill 900 – Carroll County Delegation**

AN ACT concerning

#### **Carroll County – Fortune Telling Ban – Repeal**

FOR the purpose of repealing a provision that prohibits a person from demanding or accepting payment or gratuity to forecast or foretell, or pretend to forecast or foretell, the future of another person by certain methods in Carroll County; repealing a certain penalty; and generally relating to the repeal of the ban on fortune telling in Carroll County.

BY repealing

The Public Local Laws of Carroll County  
Section 4–103  
Article 7 – Public Local Laws of Maryland  
(2004 Edition and July 1, 2010 Supplement, as amended)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 901 – Delegate Kipke**

AN ACT concerning

#### **Departments of Health and Mental Hygiene and the Environment – Fluoride Levels in Drinking Water – Study**

FOR the purpose of requiring the Department of Health and Mental Hygiene and the Department of the Environment jointly to conduct a study, in consultation with certain county boards of health, regarding fluoridation levels in public drinking water in the State and to report their findings and analysis to the General Assembly on or before a certain date; and generally relating to a study of the fluoride levels in drinking water by the Departments of Health and Mental Hygiene and the Environment.

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 902 – Delegates Lafferty, Arora, Braveboy, Carr, Cullison, Dumais, Glenn, Healey, Hucker, A. Kelly, Luedtke, Mitchell, Mizeur, Reznik, S. Robinson, Waldstreicher, and Zucker**

AN ACT concerning

**Human Relations – Housing Discrimination – Source of Income**

FOR the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; establishing certain qualifications and limitations on the general prohibition against discrimination in housing based on source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from inducing or attempting to induce, for profit, a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person having a particular source of income; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person from denying a person, based on source of income, access to or membership or participation in a service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against a person in the terms or conditions of membership; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining a certain term; providing that certain provisions concerning source of income do not apply to certain housing; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 903 – Delegates A. Kelly, Braveboy, Burns, Carr, Cullison, Frick, Frush, Guzzone, Huckler, Kaiser, Kipke, Lee, Luedtke, A. Miller, B. Robinson, S. Robinson, Sophocleus, Waldstreicher, and Wood**

AN ACT concerning

**Task Force on Green Chemistry**

FOR the purpose of establishing a Task Force on Green Chemistry; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Department of Business and Economic Development to provide staff for the Task Force; requiring the Task Force to meet at least quarterly at the times and places determined by the chair of the Task Force; prohibiting a member of the Task Force from receiving certain compensation and authorizing the reimbursement of certain expenses; requiring the Task Force to study certain matters and make certain recommendations; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the establishment of a Task Force on Green Chemistry.

Read the first time and referred to the Committee on Economic Matters.

**House Bill 904 – Delegates Carter and Alston**

AN ACT concerning

**Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required**

FOR the purpose of altering the definition of “work zone” as it relates to work zone speed control systems; providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone; and generally relating to work zone speed control systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–810(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–810(a)(6) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 905 – Delegates Carr, Barkley, Hixson, Hucker, Love, Mizeur, Niemann, Simmons, and Waldstreicher**

AN ACT concerning

**Street Lighting – Purchase of Equipment by Local Government and Tariff**

FOR the purpose of requiring a local government to pay a certain electric company the fair market value of certain street lighting equipment as determined by an agreement between the local government and the electric company or as determined in a condemnation proceeding under certain circumstances; authorizing a local government to include all street lighting equipment that the local government seeks to acquire in its jurisdiction that is owned by one electric company in a single petition of condemnation under certain circumstances; requiring a jury in a certain condemnation proceeding to consider certain factors in determining fair market value of street lighting equipment under certain circumstances; requiring the Public Service Commission to require each electric company to develop a tariff for certain street lighting; requiring a certain tariff to include pole attachment fees or agreements under certain circumstances; and generally relating to the acquisition of street lighting equipment by a local government from an electric company and a tariff for street lighting.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 906 – Delegates Carr, Barkley, Beidle, Bobo, Glenn, Gutierrez, Hucker, Jameson, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, A. Miller, Mizeur, Morhaim, Niemann, Norman, Reznik, B. Robinson, S. Robinson, Rosenberg, Schuh, Stein, Vitale, Waldstreicher, Wilson, and Zucker**

AN ACT concerning

**Marilyn J. Praisner Safe and Earth-Friendly Roadway Act**

FOR the purpose of authorizing the State Highway Administration, the Maryland Transportation Authority, 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, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new or replacement luminaire that meets certain requirements; authorizing the Administration, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only if the new or replacement luminaire is of a certain type; authorizing the Administration, the Authority, or a political subdivision to waive a certain requirement for luminaires for highway lighting for certain reasons; requiring the Administration, the Authority, 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, the Authority, 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; exempting highway lighting in a tunnel or underpass from certain requirements; exempting an electric cooperative from the requirements of this Act; providing that this Act only applies to highway lighting installed or replaced under certain circumstances; defining certain terms; and generally relating to highway lighting.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 1-101(h)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 1-101(a) and (k) and 8-101(a), (b), (i), and (q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 8-609.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 907 – Delegates Healey, Burns, and Nathan-Pulliam**

AN ACT concerning

**Employment Discrimination – Criminal Convictions**

FOR the purpose of prohibiting an employer from refusing to hire, discharge, or otherwise discriminate against an individual because of information indicating that an individual has been convicted of a certain criminal offense not directly related to employment; exempting certain sexual offenses from this Act; defining certain terms; and generally relating to employment discrimination.

BY adding to

Article – State Government

Section 20–606.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 908 – Delegate Stein**

AN ACT concerning

**Motor Vehicles – Leased Vehicles – Advertising Practices**

FOR the purpose of prohibiting a person who leases vehicles to lessees from failing to include certain charges in calculating the base lease payment shown in an advertisement for a leased vehicle, or from advertising to the general public a capitalized cost reduction to a lessee unless the capitalized cost reduction is offered to all potential lessees; clarifying that certain provisions of law apply to an advertisement for a leased vehicle; and generally relating to advertising practices for a person who leases vehicles.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–2001(a) through (d)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–2003

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 15–313(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 909 – Delegates Reznik, Afzali, Barkley, Clagett, Donoghue, Elliott, Frick, Gilchrist, Guzzone, Hogan, Howard, Kaiser, A. Kelly, Luedtke, A. Miller, Pendergrass, S. Robinson, Simmons, and F. Turner**

AN ACT concerning

**Political Subdivisions – Legal Notice Requirements – Posting on Web Sites**

FOR the purpose of authorizing a county or municipality to satisfy a requirement to publish legal notices in a newspaper of general circulation by posting the notices on its Web site; requiring notices posted on a county or municipality Web site to be displayed conspicuously and easily accessible; requiring a county or municipality that chooses to post notices on the Internet to publish certain advance notice in a newspaper of general circulation in the county or municipality and to offer a certain mail service to provide paper copies of notices; requiring the mail service to provide paper copies of notices posted to the county's or municipality's Web site; providing that the mail subscription shall be valid for a certain period of time and may be renewed; requiring a county or municipality to provide information about the mail service on its Web site and in certain notices; requiring a county or municipality to maintain paper copies of notices posted on its Web site and to make the copies available to the public; requiring a county or municipality to maintain an affidavit stating certain information about the posting of a notice on its Web site; providing that the affidavit is not required to be notarized; providing that certain taxing authorities may meet certain notice requirements relating to real property tax rates by providing certain information to the State Department of Assessments and Taxation regarding the taxing authority's Web site and by posting certain information on the Web site; and generally relating to publication of legal notices by counties and municipalities.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–112  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 6–308(b)(2) and (c)  
Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 910 – Delegates McIntosh, Anderson, Beidle, Bobo, Carr, Healey, Hucker, Morhaim, Niemann, Pendergrass, Stein, and F. Turner**

AN ACT concerning

**High Performance Buildings Act – Applicability to Recipients of State Aid**

FOR the purpose of making the High Performance Buildings Act applicable to certain capital projects that are funded or financed, to a certain extent, by a grant of State aid to certain grantees; requiring the Department of Housing and Community Development to require certain recipients of State funds to employ certain standards under certain circumstances; authorizing the Secretary of Housing and Community Development to provide a certain waiver; defining certain terms; altering certain definitions; and generally relating to the construction of high performance buildings by certain grantees that receive certain State aid.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1 and 7–406(a)(5)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–406(a)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

**House Bill 911 – Delegate Rudolph**

AN ACT concerning

**Insurance – Surplus Lines Insurance Multi–State Compliance Compact**

FOR the purpose of entering the State of Maryland in the Surplus Lines Insurance Multi–State Compliance Compact; specifying the purposes of the Compact; providing for the creation of the Surplus Lines Insurance Multi–State Compliance Compact Commission as a body corporate and politic and an instrumentality of the compacting states; authorizing the Commission to adopt



certain mandatory rules; providing that the Commission is solely responsible for its liabilities with certain exceptions; providing for venue for judicial proceedings; specifying the powers of the Commission; specifying the membership, voting, bylaws, executive committee, personnel, and chairperson of the Commission; providing for an operations committee and legislative and advisory committees of the Commission; requiring the Commission to maintain certain records; establishing qualified immunity, defense, and indemnification provisions relating to the Commission; requiring the Commission to meet and take certain actions; establishing the rulemaking authority and procedures of the Commission; requiring the Commission to promulgate certain rules relating to the Commission's records; requiring the Commission to monitor Compacting States for compliance with certain rules and bylaws; requiring the Commission to resolve certain disputes in a certain manner; establishing provisions regarding review of Commission decisions; requiring the Commission to pay certain expenses and certain fees; requiring the Commission to keep certain financial records; providing that the Commission is not subject to certain taxes; providing that any state is eligible to become a compacting state; specifying when the Compact and the Commission are effective; providing for the withdrawal of a compacting state from the Compact and reinstatement of a withdrawing state; requiring the Commission to take certain actions in the event of certain defaults by a compacting state; providing for the dissolution of the Compact under certain circumstances; providing for the severability and construction of the Compact; specifying the effect of the Compact on other laws of a compacting state; establishing the binding effect of this Compact on compacting states; defining certain terms; appointing the Maryland Insurance Commissioner as the State's representative to the Commission; making this Act subject to a certain contingency; and generally relating to the Surplus Lines Insurance Multi-State Compliance Compact.

BY adding to

Article – Insurance

Section 31–101 and 31–102 to be under the new title “Title 31. Surplus Lines Insurance Multi-State Compliance Compact”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 912 – Delegates Kipke, Barve, Cullison, Frush, Kach, A. Kelly, Lee, Love, Ready, Reznik, Valderrama, and Waldstreicher**

AN ACT concerning

**Business Regulation – Retail Pet Stores – Required Records for Dogs**

FOR the purpose of requiring a retail pet store that sells dogs to post conspicuously on each dog's cage certain information about the dog; requiring a retail pet store to

maintain a written record which contains certain information about each dog in the possession of the retail pet store; requiring a retail pet store to maintain a certain record for a certain period of time after the date of sale of a dog; requiring a retail pet store to make certain records available for inspection by the Department of Labor, Licensing, and Regulation under certain circumstances; defining a certain term; and generally relating to required records for retail pet stores.

BY adding to

Article – Business Regulation

Section 19–701 to be under the new subtitle “Subtitle 7. Retail Pet Stores”

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 913 – Delegates Zucker, Hixson, Arora, Clagett, Dumais, Kaiser, Luedtke, A. Miller, Mitchell, S. Robinson, Rosenberg, Ross, and Summers**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility – Child Support Payments**

FOR the purpose of authorizing the Child Support Enforcement Administration to send a certain certification to the State Department of Assessments and Taxation concerning certain child support obligors; requiring the Administration to send a certain notice to certain obligors; providing for the right of an obligor to challenge the Administration’s certification by requesting an investigation within a certain time frame; requiring the Administration to conduct a certain investigation and notify the obligor of the outcome; requiring the Administration to correct a certain amount under certain circumstances; authorizing the Administration and obligor to negotiate a payment plan; prohibiting the Administration from notifying the Department under certain circumstances; requiring the Department to revoke the homestead property tax credit of certain homeowners under certain circumstances; authorizing the Administration and the Department to adopt certain regulations; providing for the application of this Act; providing for a delayed effective date; and generally relating to eligibility of certain child support obligors for the homestead property tax credit.

BY adding to

Article – Family Law

Section 10–113.3

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(1), (5), and (7) through (9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–105(i–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 914 – Delegates Branch, Braveboy, Burns, Conaway, Gaines, Glenn, Haynes, Howard, Jones, Nathan–Pulliam, Oaks, B. Robinson, F. Turner, V. Turner, Valderrama, Walker, and Washington**

AN ACT concerning

**Minority Business Enterprise Participation – Application for Certification as a Minority Business Enterprise and Termination Extension**

FOR the purpose of altering a provision that the Board of Public Works is required to include in certain regulations relating to a certain agency’s notification to an applicant for certification as a minority business enterprise of the agency’s decision within a certain time after receipt of certain documents; continuing until a certain date certain provisions of the State Procurement Law relating to procurement from minority business enterprises; requiring a certain study and a final report on the study by a certain date; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to minority business enterprise participation.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–303 and 14–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Chapter 116 of the Acts of the General Assembly of 1995, as amended by Chapters 495 and 496 of the Acts of the General Assembly of 2000, Chapter 339 of the Acts of the General Assembly of 2001, and Chapter 359 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 915 – Delegate Cardin**

AN ACT concerning

#### **Video Lottery Terminals – Distribution of Proceeds – Purses and Bred Funds**

FOR the purpose of altering the percentage of certain video lottery terminal proceeds distributed to the Purse Dedication Account; distributing certain video lottery terminal proceeds directly to the Maryland–bred Race Fund and the Standardbred Race Fund; altering the allocation of funds in the Purse Dedication Account by the State Racing Commission; and generally relating to video lottery terminal proceeds for horse racing purses and bred funds.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–27(a)(4) and 9–1A–28  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 916 – Delegate McMillan**

AN ACT concerning

#### **Maryland Transportation Authority – Chesapeake Bay Bridge – Electronic Toll Collection**

FOR the purpose of requiring the Maryland Transportation Authority to take all necessary actions to ensure that by a certain date all tolls collected in connection with the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and parallel Chesapeake Bay Bridge are collected by means of electronic toll collection; and generally relating to electronic toll collection on the Chesapeake Bay Bridge.

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 917 – Delegate McMillan**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; providing for the application of this Act; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203(e) and (h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 918 – Delegate McMillan**

AN ACT concerning

**Repeal of Tax Credit for Purchase of Maryland–Mined Coal**

FOR the purpose of repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; providing for the application of this Act; and generally relating to the repeal of certain credits allowed against certain taxes for the purchase of Maryland–mined coal.

BY repealing  
Article – Tax – General  
Section 8–406(b) and 10–704.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 8–408  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 919 – Delegates Hough, Alston, Anderson, Bates, Carter, Clippinger, Cluster, Dwyer, Eckardt, George, Haddaway–Riccio, Lee,**

**McComas, McDermott, Mitchell, Ready, B. Robinson, Rosenberg, Simmons, Valderrama, Valentino-Smith, Waldstreicher, and Wood**

AN ACT concerning

**Criminal Law – Swift and Certain Sanctions Pilot Program**

FOR the purpose of declaring that it is the public policy of the State that certain former inmates under community supervision shall be subject to certain revocation proceedings, possible incarceration, and certain other sanctions under certain circumstances; requiring the Division of Parole and Probation to implement a pilot program involving a system of graduated sanctions for violations of conditions of community supervision; requiring a certain system to set forth a menu of certain presumptive sanctions; requiring certain sanctions to take into account certain factors; requiring a certain system to define certain positive reinforcements; requiring the Secretary of Public Safety and Correctional Services to establish certain review processes by regulation; requiring a certain review to be conducted by a certain employee or representative; requiring a certain court to determine the conditions of community supervision for certain individuals; authorizing a certain court to impose as a condition of community supervision that the Division may impose certain graduated sanctions for certain violations; authorizing the Division to modify the conditions of community supervision for a certain purpose and place a certain supervised individual in a certain facility or center for a certain period of time under certain circumstances; requiring a certain supervision officer who intends to modify the conditions of community supervision in a certain manner to issue to a certain supervised individual a certain notice; requiring the imposition of a graduated sanction by a certain supervision officer to comport with a certain system of graduated sanctions; requiring a certain supervised individual to immediately accept or object to a certain sanction at a certain time; providing that the failure of a certain supervised individual to comply with a certain sanction shall constitute a violation of probation, parole, or mandatory supervision; providing that if a certain supervised individual objects to the imposition of a certain sanction, the individual is entitled to a certain administrative review; establishing that if the Division affirms a certain recommendation, then a certain sanction shall become effective immediately; requiring a certain confinement to be approved by a certain chief supervision officer; allowing a certain supervised individual to be taken into custody for a certain maximum period of time while certain approval is obtained; requiring a certain supervision officer to impose a certain sanction on certain days and times under certain circumstances; prohibiting a certain sanction from being imposed except by order of the court; prohibiting the issuance of a certain notice that could result in a certain felony charge, with a certain exception; prohibiting a court from revoking the term of community supervision or imposing additional sanctions upon successful completion of a graduated sanction; requiring a certain supervision officer to take certain actions if the supervision officer modifies the conditions of community supervision in a certain manner;

requiring a certain chief supervision officer periodically to review confinement sanctions recommended by supervision officers for certain purposes; defining certain terms; making the provisions of this Act severable; providing for the termination of this Act; and generally relating to the Swift and Certain Sanctions Pilot Program.

BY adding to

Article – Correctional Services

Section 6–301 through 6–306 to be under the new subtitle “Subtitle 3. Swift and Certain Sanctions Pilot Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 920 – Delegates Proctor, Alston, Anderson, Braveboy, Burns, Cane, Carter, Conaway, Gaines, Glenn, Griffith, Gutierrez, Harrison, Haynes, Holmes, Jones, Nathan–Pulliam, Oaks, Pena–Melnik, Reznik, B. Robinson, Rosenberg, Stukes, Summers, Tarrant, V. Turner, Vaughn, Walker, Washington, and Wilson**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

FOR the purpose of prohibiting the Judicial, Executive, and Legislative branches of State government from inquiring into the criminal record or criminal history of an applicant for employment until the applicant is selected for an interview; providing that this Act does not prohibit the Judicial, Executive, or Legislative Branch of State government from notifying an applicant for employment of certain information; requiring that certain criminal history records checks be requested from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; prohibiting certain employment applications from being used until certain other employment applications in print before the effective date of this Act are used; and generally relating to the conduct of criminal history records checks on applicants for employment in the Judicial, Executive, and Legislative branches of State government.

BY adding to

Article – State Personnel and Pensions

Section 2–102

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

**House Bill 921 – Delegate Simmons**

AN ACT concerning

**Courts and Judicial Proceedings – Prelitigation Discovery – Insurance Coverage**

FOR the purpose of requiring a property and casualty insurer to disclose to a certain claimant certain limits of coverage in any insurance agreement under which certain persons may be liable to satisfy all or part of the claim or to indemnify or reimburse for payments made to satisfy the claim; requiring disclosure of certain limits of coverage within a certain time period under certain circumstances; and generally relating to the disclosure of certain coverage limits in certain insurance agreements.

BY adding to

Article – Courts and Judicial Proceedings

Section 10–1101 to be under the new subtitle “Subtitle 11. Prelitigation Discovery”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 922 – Delegates Vallario, Proctor, and Wilson**

AN ACT concerning

**Criminal Procedure – Victims’ Resource Center – Funding**

FOR the purpose of requiring the Governor’s Office of Crime Control and Prevention to sustain a certain Victims’ Resource Center; requiring the Victims’ Resource Center to perform certain functions; providing that funding for the Victims’ Resource Center shall be as provided in the annual State budget and shall be used to supplement, but not supplant, certain other funding; requiring the Governor’s Office of Crime Control and Prevention to submit a certain annual report on the Victims’ Resource Center to the General Assembly on or before a certain date; altering a certain cost that a court is required to impose on a defendant convicted of a certain offense; altering the required distribution of certain fees collected and including the Victims’ Resource Center as a recipient of a certain portion of the fees; defining a certain term; and generally relating to the Victims’ Resource Center.

BY adding to

Article – Criminal Procedure

Section 11–1006



Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 923 – Delegates McDonough, Dwyer, Impallaria, Kach, Kipke,  
Krebs, and McComas**

AN ACT concerning

**Rules of Interpretation – State Citizenship**

FOR the purpose of specifying that an individual is a citizen of the State of Maryland if the individual meets certain requirements; specifying that citizenship of the State of Maryland does not confer any right, privilege, immunity, or benefit under law; defining a certain term; and generally relating to citizenship of the State of Maryland.

BY renumbering  
Article 1 – Rules of Interpretation  
Section 35 through 37, respectively  
to be Section 36 through 38, respectively  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 1 – Rules of Interpretation  
Section 35  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 924 – Delegate Mizeur**

AN ACT concerning

**Commission on State–Administered Medical Malpractice Liability Insurance**

FOR the purpose of establishing the Commission on State–Administered Medical Malpractice Liability Insurance; providing for the composition, chair

designation, and staffing of the Commission; prohibiting a member of the Commission from receiving compensation; providing that a member of the Commission may receive reimbursement for certain expenses; requiring the Commission to examine the federal model for insuring certain physicians under the Federal Tort Claims Act and to consider certain measures to provide affordable insurance to certain physicians in the State under the Maryland Tort Claims Act; requiring the Commission to make certain recommendations; requiring the Commission to report certain findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission on State–Administered Medical Malpractice Liability Insurance.

Read the first time and referred to the Committee on Economic Matters.

**House Bill 925 – Delegates George, Dwyer, Frush, Kipke, Love, McConkey, McMillan, Schuh, Sophocleus, and Vitale**

AN ACT concerning

**Disposition of Excess State Property – Former Crownsville Hospital Center**

FOR the purpose of requiring the Department of Planning to make a certain recommendation and provide certain notice regarding certain real property at the former Crownsville Hospital Center; requiring that the Department include as its first option for the disposition of certain real property at the former Crownsville Hospital Center negotiations with certain veterans organizations in Anne Arundel County to use the property for certain purposes; and generally relating to the disposition of certain excess State property at the former Crownsville Hospital Center for certain purposes.

BY adding to

Article – State Finance and Procurement

Section 5–310.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 926 – Delegates McMillan, Aumann, Beidle, Bromwell, Carter, Costa, Fisher, George, Haddaway–Riccio, Kach, K. Kelly, Kramer, A. Miller, W. Miller, Minnick, O’Donnell, Schuh, Simmons, Sophocleus, Szeliga, Vitale, Weir, Wilson, and Wood**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Dedicated State Funds Protection Act**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of dedicated State funds to the General Fund except for certain purposes under certain circumstances; requiring the Governor to include certain provisions in the budget that provide for the repayment of certain dedicated State funds under certain circumstances within a certain period of time; defining a certain term; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

Read the first time and referred to the Committee on Appropriations.

**House Bill 927 – Delegates McMillan and W. Miller**

**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 State 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; and submitting this amendment to the qualified voters of the State 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 and the Committee on Appropriations.

**House Bill 928 – Delegate McMillan**

AN ACT concerning

**Housing – Discrimination Based on Source of Income – Prohibitions**

FOR the purpose of altering the housing policy of the State to provide for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from, for profit, inducing or attempting to induce a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person of a particular source of income; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person, based on source of income, from denying a person access to or membership or participation in a service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against a person in the terms or conditions of membership; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; altering a certain definition; defining a certain term; defining a certain term as it applies to rental transactions; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 20–701(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–701(c), 20–702(a), 20–705, 20–707, and 20–1103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government

Section 20–701(j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 929 – Delegates Barve and Frick**

AN ACT concerning

**Consumer Protection – Credit Reporting Agencies – Disclosures to  
Consumers and Adverse Actions by Users of Consumer Reports**

FOR the purpose of requiring a consumer reporting agency, on request and proper identification of a consumer, to provide a certain credit score to the consumer; prohibiting a consumer reporting agency from imposing a fee for providing a credit score to a consumer one time during a certain period of time; authorizing a consumer reporting agency to charge a consumer a certain fee for a second or subsequent credit score provided to the consumer during a certain period of time; prohibiting the user of a consumer report on a consumer from taking any adverse action against the consumer under certain circumstances; making certain stylistic and clarifying changes; and generally relating to consumer reporting agencies and consumer reports.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1206(a) and 14–1209  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Commercial Law  
Section 14–1212(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 930 – Delegate Cardin**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Qualifications**

FOR the purpose of proposing an amendment to the Maryland Constitution to prescribe different qualifications for judges of the Orphans' Court for Baltimore County; requiring judges of the Orphans' Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 40

Read the first time and referred to the Committee on Judiciary.

**House Bill 931 – Delegates Carter, Cluster, Mitchell, Oaks, Smigiel, and Washington**

AN ACT concerning

**Local Governments – Real Property – Healthy Properties and Urban Renewal**

FOR the purpose of requiring a local government to take certain actions within a certain period of time with regard to real property acquired by the local government to satisfy certain nuisance and building code laws or to sell the real property to certain parties; defining a certain term; and generally relating to real property owned by local governments.

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 25–101 and 25–102 to be under the new title “Title 25. Healthy Properties and Urban Renewal”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 932 – Delegates Proctor, Afzali, Anderson, Aumann, Bates, Beidle, Bohanan, Boteler, Bromwell, Cluster, Conway, Donoghue, Dwyer, Eckardt, Elliott, Frank, Frush, Gaines, George, Glass, Haddaway–Ricchio, Haynes, Hershey, Hogan, Hough, Impallaria, James, Jameson, Kach, Kipke, Krebs, McConkey, McHale, W. Miller, Minnick, Mitchell, O'Donnell, Oaks, Parrott, Pena–Melnyk, Ready, Rosenberg, Schuh, Schulz, Serafini, Sophocleus, Stocksdales, Stukes, Szeliga, Tarrant, V. Turner, Valderrama, Valentino–Smith, Vallario, Vitale, Walker, Weir, 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  
(2010 Replacement Volume)

BY adding to

Article – Tax – General  
Section 10–205(k), 10–306(g), and 10–729  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 933 – Delegate Jameson and the Speaker (By Request – Administration) and Delegates Barve, Anderson, Barkley, Bobo, Bohanan, Branch, Braveboy, Cane, Cardin, Carr, Conaway, Conway, Donoghue, Dumais, Feldman, Frush, Gaines, Glenn, Hammen, Hubbard, Hucker, Ivey, James, Lafferty, Love, McHale, Minnick, Mizeur, Morhaim, Murphy, Proctor, Rosenberg, Ross, Schuh, Schulz, Valderrama, Vallario, Vaughn, and Wood**

AN ACT concerning

**Renewable Energy Portfolio Standard – Renewable Energy Credits – Solar Water Heating Systems**

FOR the purpose of providing that energy from a certain solar water heating system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns and operates a certain solar water heating system shall receive a certain renewable energy credit under certain circumstances; requiring the total amount of energy generated and consumed by a nonresidential or commercial solar water heating system to be measured by a certain meter; requiring the total amount of energy generated and consumed by a residential solar water heating system to be measured in a certain way; prohibiting a residential solar water heating system from producing more than a certain number of solar renewable energy credits in any one year; defining a certain term; altering a certain definition; requiring that certain solar water heating systems be installed in accordance with applicable State and local plumbing codes; providing for the application of this Act; providing for a delayed effective date; and generally relating to the eligibility of solar water heating systems for inclusion in meeting the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Public Utilities  
Section 7–701(k–1) and 7–704(g)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–701(l)  
Annotated Code of Maryland



(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 934 – Delegates Carter, Alston, and Anderson**

AN ACT concerning

**Labor and Employment – Credit Reports and Credit Histories of Applicants  
and Employees – Limitations on Use by Employers**

FOR the purpose of prohibiting an employer from using the credit report or credit history of an employee or applicant for employment for certain purposes; authorizing an employer to request or consider an applicant's or employee's credit report or credit history under certain circumstances; authorizing the Commissioner of Labor and Industry to investigate, under certain circumstances, whether there has been a violation of this Act; requiring the Commissioner to adopt certain regulations; requiring an employer to disclose certain information in writing to an applicant or employee under certain circumstances; prohibiting an employer from retaliating or discriminating against an applicant or employee under certain circumstances; prohibiting an employer from requiring an applicant or employee to waive any right under this Act; specifying that an agreement entered into by an applicant or an employee to waive any right under this Act is invalid and unenforceable; authorizing an applicant or employee to submit a written complaint to the Commissioner under certain circumstances; authorizing the Commissioner, under certain circumstances, to try to attempt to resolve a violation of this Act informally or request that the Attorney General bring a certain action; authorizing a certain civil action under certain circumstances; requiring a court to award certain costs and fees under certain circumstances; providing that this Act does not apply to certain employers; specifying that this Act does not prohibit an employer from performing an employment-related background investigation that meets certain requirements; and generally relating to the use by employers of credit reports and credit histories of employees and applicants for employment.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Labor and Employment  
Section 3–711  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 935 – Delegate Stein**

AN ACT concerning

#### **Consumer Protection – Ceramic Fire Pots – Warning Label**

FOR the purpose of prohibiting a person from selling or distributing a ceramic fire pot unless a certain warning is printed legibly on the package or on a certain label; requiring the State Fire Marshal to establish the form of a certain warning by regulation; providing for the enforcement of this Act; providing that a person who knowingly and willfully violates a certain provision of this Act is guilty of a misdemeanor and subject to a fine not exceeding a certain amount; defining a certain term; and generally relating to the sale and distribution of ceramic fire pots.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 13–101(a), (c), and (e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Commercial Law  
Section 13–320  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 936 – Delegate Stein**

AN ACT concerning

#### **Office of Legislative Audits – Preliminary Determination or Referral – Confidentiality**

FOR the purpose of prohibiting the Office of Legislative Audits from publicly disseminating a report or announcement regarding a certain audit that refers to a preliminary determination or referral of findings of a criminal act or an ethical violation unless a final determination as to whether a criminal act or an ethical violation was committed has been made by the Attorney General, State's Attorney, or State Ethics Commission; and generally relating to the Office of Legislative Audits.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1225  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 937 – Delegates Beitzel, K. Kelly, and Myers**

AN ACT concerning

**Education – State Aid – Grant to Limit Decreases in Funding**

FOR the purpose of requiring the State to provide a certain grant to a county board of education if certain funding provided to a county board decreases by a certain amount; requiring a certain study to include a certain impact; defining certain terms; providing for the termination of this Act; and generally relating to State aid for education.

BY renumbering  
Article – Education  
Section 5–202(f), (g), and (h), respectively  
to be Section 5–202(g), (h), and (i), respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 5–202(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 938 – Delegate Stein**

AN ACT concerning

**Vehicle Laws – Driver’s Licenses, Identification Cards, and Moped Operator’s Permits – Photographs**

FOR the purpose of repealing certain provisions of law that require driver’s licenses, identification cards, and moped operator’s permits issued by the Motor Vehicle Administration to contain a photograph of the license, card, or permit holder that is in color; making a technical correction; and generally relating to

photographs on driver's licenses, identification cards, and moped operator's permits.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 12–301(a), 16–111.1(b)(1), and 16–122(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(g)(2), 16–111.1(d)(2), 16–122(d), and 16–811(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 939 – Delegates Haynes, Barve, Branch, Braveboy, Gaines, Glass, Howard, Kach, Kipke, Pena–Melynk, Reznik, B. Robinson, Rosenberg, Ross, Stukes, Tarrant, F. Turner, V. Turner, Walker, and Washington**

AN ACT concerning

**State Government – Commemorative Days – Thurgood Marshall Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Thurgood Marshall Day; requiring the proclamation to urge certain organizations to observe Thurgood Marshall Day properly; and generally relating to commemorative days.

BY adding to  
Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 940 – Delegates Hucker, Barkley, Barve, Feldman, Frick, Frush, Gilchrist, Impallaria, Jameson, Kach, A. Kelly, K. Kelly, McComas, A. Miller, Olszewski, Reznik, S. Robinson, and Waldstreicher**

AN ACT concerning

**Counties – Kennel Licenses – Requirements for Breeders**

FOR the purpose of requiring a certain person to obtain a kennel license under certain circumstances; requiring each county to collect and maintain certain information for each kennel license issued; requiring each county to report certain information to the Department of Labor, Licensing, and Regulation on or before a certain date each year; authorizing a county to establish additional kennel license fees to cover certain costs; providing for the construction of this Act; and generally relating to kennel license requirements.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a–1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 941 – Delegates Morhaim, Cardin, Clagett, and George**

AN ACT concerning

#### **Dining Out Growth Act of 2011**

FOR the purpose of authorizing certain restaurants to allow a patron's dog to accompany the patron in certain areas of the restaurant during certain hours; requiring certain restaurant owners to give certain notice to local health departments under certain circumstances; authorizing certain restaurant owners to make certain determinations and establish certain limitations; requiring certain restaurant owners to post a certain notice; prohibiting certain patrons from allowing dogs to travel through certain areas and leaving dogs unattended under certain circumstances; requiring certain patrons to be responsible for certain dogs; establishing certain liability for certain patrons under certain circumstances; providing that a certain provision of law does not affect certain rights of an individual; requiring certain organizations to report to certain committees of the General Assembly on or before a certain date; and generally relating to authorizing restaurants with outdoor dining areas to allow a patron's dog to accompany the patron.

BY adding to  
Article – Health – General  
Section 21–304.2  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 942 – Delegate Beidle**

AN ACT concerning

#### **Common Interest Community Managers Act**

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and meetings of the Board; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board before the individual may act as a common interest community manager in the State; establishing certain qualifications, examination requirements, and experience requirements for a license; requiring common interest community funds in the care of a licensee to be covered by a certain fidelity bond; providing for the application for licenses; requiring licensees to maintain certain bank accounts in a certain manner; authorizing the Board to establish certain regulations to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain notice and hearing provisions; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms of the initial members of the Board; providing for the application of this Act; defining certain terms; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community managers.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (34), respectively

to be Section 2–108(a)(11) through (35), respectively

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY renumbering

Article – State Government  
Section 8–403(b)(13) through (68), respectively  
to be Section 8–403(b)(14) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 22–101 through 22–402 to be under the new title “Title 22. Common  
Interest Community Managers”  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Business Regulation  
Section 2–106.7, 2–106.8, and 2–108(a)(10)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 943 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Boiler and Pressure Vessels – Special Inspector Commission – Insurance  
Requirements**

FOR the purpose of requiring the Commissioner of Labor and Industry to establish by regulation insurance requirements that must be satisfied by an authorized inspection agency before a special inspector commission may be issued to an

inspector employed by the agency; and generally relating to the inspection of boilers and pressure vessels.

BY renumbering

Article – Public Safety

Section 12–907(d) through (l), respectively  
to be Section 12–907(e) through (m), respectively  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 12–907(a) and (c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–907(b)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to

Article – Public Safety

Section 12–907(d)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 944 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Mortgage Lenders and Mortgage Loan Originators**

FOR the purpose of requiring a person who is exempt from certain mortgage lender licensing requirements and who employs a licensed mortgage loan originator to register with the Nationwide Mortgage Licensing System and Registry; repealing certain obsolete provisions of law relating to mortgage lender licensing requirements for certain sole proprietors; requiring an applicant for a mortgage lender license and a licensed mortgage lender to provide fingerprints for submission to certain governmental agencies or entities for certain criminal history background checks; altering the circumstances under which a mortgage lender license applicant or licensee may be required to provide certain information to the Nationwide Mortgage Licensing System and Registry;



authorizing the Commissioner of Financial Regulation to request from certain agencies certain records, information, and receipts relating to criminal history records or background checks of mortgage lender and mortgage loan originator license applicants and licensees; requiring certain mortgage lender license applicants and licensees to pay certain processing or other fees related to a criminal history records check or criminal history background check; altering the circumstances under which a mortgage loan originator license must remain in nonactive status; authorizing a mortgage loan originator license to be issued to an individual who is not employed by a licensed mortgage lender or a person exempt from licensing as a mortgage lender under certain circumstances; authorizing a mortgage loan originator license to be issued to an individual who is employed by a person exempt from licensing as a mortgage lender under certain circumstances; altering the circumstances under which a mortgage loan originator license may be issued to an individual who is employed by a mortgage lender; repealing a certain obsolete provision of law exempting a mortgage lender licensee from a requirement to maintain an office in the State; repealing certain provisions of law relating to interim mortgage loan originator licenses and provisional approval of an application for a mortgage loan originator license; defining a certain term; making certain stylistic and conforming changes; and generally relating to the regulation of mortgage lenders and mortgage loan originators.

BY adding to

Article – Financial Institutions  
Section 11–505(g) and 11–603(d)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing

Article – Financial Institutions  
Section 11–506(c), 11–603(e), and 11–605.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions  
Section 11–506(d), 11–506.1, 11–603(c) and (d), 11–604, and 11–607  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 945 – Kent County Delegation**

AN ACT concerning

**Education – Foundation Program – Per–Pupil Adjustment for Salaries**

FOR the purpose of requiring the State to distribute annually the State share of the foundation amount that is calculated using an adjusted per-pupil foundation amount to each county board; requiring the State to distribute annually an administrative salary grant to each county board; defining certain terms; and generally relating to the State share of the foundation program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 946 – Kent County Delegation**

AN ACT concerning

#### **Environment – Sewage Sludge – Requirements**

FOR the purpose of prohibiting the Department of the Environment from issuing a sewage sludge utilization permit under certain circumstances; requiring the Department to record a copy of a certain permit in certain land records under certain circumstances; requiring the Department to establish and maintain a certain list of certain property; and generally relating to the use of sewage sludge.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–236 and 9–241  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 947 – Caroline County Delegation**

AN ACT concerning

#### **Caroline County – Alcoholic Beverages Act of 2011**

FOR the purpose of increasing the number of times a Class BWTS beer and wine (on-premises) tasting or sampling license may be granted in a calendar year to a person in Caroline County; altering the hours of sale for certain licensees in the county; requiring that a licensee in the county or an employee of the licensee be certified by an approved alcohol awareness program and, except under

certain circumstances, be present during the hours in which alcohol may be sold; making a stylistic change; and generally relating to alcoholic beverages in Caroline County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–404.2(a) and (b) and 13–101(c)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–404.2(i), 11–506, and 13–101(c)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 948 – Delegate Holmes**

AN ACT concerning

#### **Land Use – State Rail Station Overlay Districts**

FOR the purpose of authorizing local jurisdictions to establish State rail station overlay districts in certain areas; setting forth the purposes of a State rail station overlay district; requiring the Department of Planning and the Department of Transportation to consult with a local jurisdiction to establish the boundaries of a certain State rail station overlay district; declaring the intent of the General Assembly; requiring the Department of Planning, in consultation with the Department of Transportation, to adopt certain regulations relating to State rail station overlay districts; authorizing the Department of Planning, in consultation with the Department of Transportation, to vary certain requirements for a State rail station overlay district under certain circumstances; requiring the Department of Planning to consider implementing less restrictive height and density limits in a State rail station overlay district that may be established in a local zoning ordinance; providing that, in a State rail station overlay district, certain regulations prevail over certain local zoning and subdivision ordinances or regulations; providing that properties within a State rail station overlay district are not subject to a certain adequate public facilities ordinance; requiring a certain local jurisdiction to attempt to maximize the potential number of pedestrians who can access rail stations by establishing certain procedures and guidelines for development in a State rail station overlay district, developing a certain plan for development in the State rail station overlay district, facilitating a streamlined development review and approval process for certain projects within a State rail station overlay district, and establishing a certain amenity fund for certain

purposes; setting forth requirements for a certain streamlined development review and approval process; authorizing a certain person to appeal a certain decision of a local jurisdiction to the Department of Planning; requiring the Department of Planning to hold a certain hearing and make a certain determination under certain circumstances; authorizing a certain aggrieved party to appeal a certain decision of the Department of Planning to a certain circuit court under certain circumstances; requiring a party to a certain appeal to post a certain bond or deposit with the court other security; requiring the circuit court to hold a hearing within a certain time to determine the amount of the bond or other security; providing for the calculation of the amount of the bond or other security; requiring the circuit court to dismiss a certain case without prejudice if a certain party fails to pose a certain bond or other security with the court within a certain time; authorizing the circuit court to uphold, revoke, or modify a certain decision of the Department of Planning or remand the issue back to the Department of Planning under certain circumstances; authorizing a local jurisdiction to sell to developers certain floor area ratios and other development rights above a certain base standard for a certain price in a State rail station overlay district under certain circumstances; requiring a local jurisdiction to calculate the value of certain floor area ratios and other development rights in a certain manner; requiring a developer to pay to the amenity fund of a local jurisdiction the price for certain floor area ratios at a certain time; authorizing a certain owner of a certain building to sell certain development rights to another property owner or developer within the same State rail station overlay district under certain circumstances; requiring a certain owner selling certain development rights to pay to the amenity fund of a certain local jurisdiction a certain percentage of the purchase price received from the sale of certain development rights and invest a certain percentage of the purchase price received from the sale of certain development rights in improvements to the building from which the rights were sold; requiring a local jurisdiction to make a certain determination before the local jurisdiction may issue an occupancy permit to the owner of a certain building under certain circumstances; authorizing a local jurisdiction to establish a tax increment financing district whose borders coincide with the borders of a State rail station overlay district; authorizing a local jurisdiction to establish a special taxing district whose borders coincide with the borders of a State rail station overlay district for certain purposes; requiring the State to pay to the amenity fund of a local jurisdiction an amount equal to a certain percentage of the increased revenues from the State sales tax generated within the State rail station overlay district that are attributable to the sale of floor area ratios and other development rights under certain circumstances; requiring a certain local jurisdiction to establish and administer a certain amenity fund; requiring a certain local jurisdiction to use money in a certain amenity fund for certain purposes; requiring a local jurisdiction to invest the money in its amenity fund in a certain manner and credit certain investment earnings to the amenity fund; defining certain terms; and generally relating to State rail station overlay districts.

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.03 and 2.13  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article 66B – Land Use  
Section 9.01 through 9.04 to be under the new title “State Rail Station Overlay  
Districts”  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 949 – Delegate Holmes**

AN ACT concerning

#### **Health Insurance – Coverage for the Treatment of Bleeding Disorders**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain pharmacy care, home nursing services, treatment at a hemophilia treatment center, and clinical laboratory services that an insured’s or enrollee’s treating physician determines are necessary to prevent, diagnose, or treat a bleeding disorder; requiring the insurers, nonprofit health service plans, and health maintenance organizations to preapprove or preauthorize a prescription for a blood clotting product in a certain manner, under certain circumstances; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide to an insured or enrollee a choice of a certain number of certain full-service home care providers; authorizing the imposition of a copayment or coinsurance requirement or deductible for certain coverage under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to coverage for bleeding disorders under health insurance policies and contracts.

BY adding to  
Article – Health – General  
Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 15–845  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 950 – Delegates Eckardt and Haddaway–Riccio**

AN ACT concerning

**Dorchester County – Land Acquisition – Approval Required**

FOR the purpose of prohibiting the State from acquiring land for open space purposes in Dorchester County unless the County Council of Dorchester County approves the purchase; and generally relating to the acquisition of land by the State in Dorchester County.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–910  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 951 – Delegate Eckardt**

AN ACT concerning

**State Retirement and Pension System – Optional Allowances and Designated Beneficiaries – Changes to Elections**

FOR the purpose of providing that under certain circumstances, certain retirees of the State Retirement and Pension System may make certain changes to the method of distribution they selected to receive a reduced allowance; providing that certain retirees of the State Retirement and Pension System may change their designated beneficiary under certain circumstances; requiring certain retirees of the State Retirement and Pension System to complete and submit a certain form to the Board of Trustees of the State Retirement and Pension System on or before a certain date; requiring the Board of Trustees to make certain adjustments to certain retirement allowances under certain circumstances; providing for the termination of this Act; and generally relating to certain retirees of the State Retirement and Pension System changing their method of distribution to receive a reduced retirement allowance.

Read the first time and referred to the Committee on Appropriations.

**House Bill 952 – Delegate James**

AN ACT concerning

**State Lottery – Licenses – Veterans’ Organizations**

FOR the purpose of authorizing the Director of the State Lottery Agency to issue a license for not more than a certain number of lottery ticket terminals for the sale of State lottery tickets to veterans’ organizations under certain circumstances; requiring that a certain amount of revenues from lottery ticket sales by a veterans’ organization is to be provided for charitable purposes; requiring that, after a certain date, a certain amount of revenues from lottery ticket sales by a veterans’ organization is to be distributed to the Maryland Veterans Trust Fund; providing that certain revenues from lottery ticket sales by a veterans’ organization are to be credited to the State Lottery Fund after certain distributions are made; requiring a veterans’ organization issued a license under this Act to purchase or lease lottery ticket terminals; prohibiting a veterans’ organization from using certain lottery receipts to pay certain costs for lottery ticket terminals; directing the State Lottery Agency to implement the provisions of this Act in accordance with a certain court decision; and generally relating to the State lottery and State lottery ticket sales by veterans’ organizations.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 12–101(f)(3)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–112, 9–119(a) and (b), and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 953 – Allegany County Delegation**

**EMERGENCY BILL**

AN ACT concerning

**Allegany County – Alcoholic Beverages – 1–Day Special License**

FOR the purpose of authorizing the Allegany County Board of License Commissioners to grant a certain 1–day special license for use at an entertainment event; limiting the duration of a certain license; authorizing the Allegany County

Board of County Commissioners to determine the amount of a certain fee based on a certain recommendation; requiring license holders to exercise the privileges of the license on county-owned property; requiring the Board of County Commissioners to distribute a certain amount of a certain license fee to the Board of License Commissioners and donate the balance of a certain license fee to a certain nonprofit charitable organization; requiring license holders, with the approval of County Commissioners, to designate the recipient of a certain donation; requiring that application for a certain license be made not less than a certain number of days before a certain date; making this Act an emergency measure; and generally relating to the establishment of a 1-day special license in Allegany County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7-101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7-101(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 954 – Washington County Delegation**

AN ACT concerning

#### **Washington County – Board of Elections – Membership and Compensation**

FOR the purpose of altering which salaries the Washington County Salary Study Commission is required to study; altering the number of regular members of the Washington County Board of Elections; requiring the members of the local board to be of certain political parties; requiring a vacancy on the local board to be filled in a certain manner; repealing the requirement that members of the local board be paid a certain amount; requiring that the Washington County Board of County Commissioners set the salaries of members of the local board; repealing the requirement that substitute members of the local board be paid a certain amount; providing that this Act does not apply to the salary or compensation of the local board during a certain term of office; and generally relating to the membership and compensation of the Washington County Board of Elections.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions



Section 12-205(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2-201(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2-201(l) and 2-204(a)(22) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 344 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 955 – Delegate Myers**

AN ACT concerning

**Elections for County Treasurers, Clerks of the Circuit Court, and Registers of Wills – Nonpartisan Elections**

FOR the purpose of establishing a method of electing county treasurers, clerks of the circuit court, and registers of wills on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for certain offices to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for a certain office may not be nominated by petition or by a political party that is not required to nominate its candidates by party primary; making a conforming change; and generally relating to the nonpartisan nomination and election of county treasurers, clerks of the circuit court, and registers of wills.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5-203, 5-703(a), 5-703.1(a), and 9-210(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Election Law

Section 5–301(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Election Law  
Section 8–901 through 8–905 to be under the new subtitle “Subtitle 9. Election  
of County Treasurer, Clerk of the Circuit Court, and Register of Wills”  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 956 – Delegate Myers**

AN ACT concerning

#### **Election of Sheriffs – Nonpartisan Elections**

FOR the purpose of establishing a method of electing sheriffs on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for sheriff to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for sheriff may not be nominated by petition or by a political party that is not required to nominate its candidates by party primary; making a conforming change; and generally relating to the nonpartisan nomination and election of sheriffs.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 5–203, 5–703(a), 5–703.1(a), and 9–210(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Election Law  
Section 5–301(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Election Law  
Section 8–901 through 8–905 to be under the new subtitle “Subtitle 9. Election  
of Sheriffs”  
Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 957 – Delegates Wilson, Barkley, Burns, Conway, Eckardt, Frick, Krebs, McDermott, Morhaim, B. Robinson, and Stocksdales**

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(ee)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 958 – Delegates McConkey and Vitale**

AN ACT concerning

**Anne Arundel County Board of Education – Nonstudent Members – Political Affiliation**

FOR the purpose of prohibiting more than a certain number of the nonstudent members of the Anne Arundel County Board of Education from being of the same political party; providing for the application of this Act; and generally relating to the political affiliation of the nonstudent members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education  
Section 3–110(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 959 – Delegate Davis**

AN ACT concerning

**Insurance – Surplus Lines**

FOR the purpose of authorizing a surplus lines broker to place certain surplus lines insurance with certain insurers under certain circumstances; authorizing a surplus lines broker to place coverage with certain nonadmitted insurers that meet certain qualifications; authorizing the Maryland Insurance Commissioner to make a certain finding concerning certain nonadmitted insurers based on certain criteria; authorizing the Commissioner to participate in a certain database; altering the authority of the Commissioner to allow a commercial insured to waive certain search requirements for surplus lines coverage for certain purposes; authorizing a surplus lines broker not to perform a diligent search when placing certain coverage with an exempt commercial purchaser under certain circumstances; providing that certain persons are not required to obtain a certificate of qualification to act as a surplus lines broker in the State under certain circumstances; altering the calculation and amount of the premium receipts tax on certain surplus lines insurance premiums that cover certain property, risks, and exposures that are wholly or partly located or to be performed outside the State; providing for the receipt and distribution of certain premium taxes in and for certain states; providing that the home state of an insured shall receive certain tax payments and reports for certain nonadmitted insurance; requiring the Commissioner to cooperate with certain other states to adopt and implement certain multistate uniform requirements for nonadmitted insurance in compliance with the federal Nonadmitted and Reinsurance Reform Act of 2010; providing that the regulation of certain nonadmitted insurance is subject to the statutory and regulatory requirements solely of certain home states; providing for the allocation, collection, and distribution of certain premium taxes and reports concerning certain insurance under certain circumstances; authorizing the Commissioner to enter into a certain agreement or compact or to establish certain procedures to implement a certain multistate system for certain purposes; authorizing the Commissioner to enter into an agreement with a certain clearinghouse or other entity for certain purposes; authorizing the Commissioner to establish certain fees for certain purposes; altering certain requirements for certain insurers to file certain statements and reports at certain times; authorizing the Commissioner to prescribe certain forms for certain tax allocation reports; requiring the Commissioner, by regulation, to determine the content and filing deadlines for the reports; making conforming and clarifying changes; defining certain terms; and generally relating to the Maryland Insurance Commissioner and surplus lines.

BY repealing and reenacting, with amendments,  
Article – Insurance

Section 3-301, 3-304, 3-306, 3-306.1, 3-310, 3-324, 3-325, and 4-210  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to

Article – Insurance  
Section 3-324.1 and 4-211.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 960 – Delegates McConkey and Eckardt**

AN ACT concerning

#### **Real Property – Companion Apartments**

FOR the purpose of authorizing an owner of a residential dwelling to create and rent a companion apartment under certain circumstances; requiring a companion apartment to meet certain standards; requiring structural changes made to create a companion apartment to be removed under certain circumstances; prohibiting a homeowners association or cooperative housing corporation from revoking permission for the creation and rental of a companion apartment under certain circumstances; defining certain terms; providing that a county or municipal corporation may not generally prohibit the creation or rental of companion apartments, and that a law, regulation, or ordinance adopted by a county or municipal corporation may impose health and safety standards for companion apartments that are more stringent than this Act; and generally relating to companion apartments.

BY adding to

Article – Real Property  
Section 14-133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 961 – Delegate Olszewski**

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 licensing, titling, registration, 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

(2009 Replacement Volume and 2010 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

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation

Section 13–939.3 and 23–206.2(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 962 – Delegates Conaway, Dumais, George, Glenn, Mitchell, B. Robinson, Stukes, Summers, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Signs on Licensed Premises  
Prohibiting Sales to Underage Individuals**

FOR the purpose of requiring a holder of a retail alcoholic beverages license in Baltimore City to post a sign on the licensed premises that states that State law prohibits the license holder from selling or providing an alcoholic beverage to an individual under the age of 21 years; requiring the Board of Liquor License Commissioners to adopt guidelines for the design of the sign; establishing certain penalties; and generally relating to alcoholic beverages in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 21–105.1

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 963 – Delegates Dwyer, Afzali, Aumann, Bates, Burns, Cluster, Eckardt, Elliott, Fisher, George, Glass, Haddaway–Ricci, Hershey, Hough, Impallaria, Kach, Krebs, McComas, McConkey, McDermott, McDonough, W. Miller, Myers, Norman, O’Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdales, Szeliga, Vitale, 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 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 964 – Delegates McComas, Anderson, Barkley, Bates, Boteler, Carter, Cluster, George, Glass, Haddaway–Ricci, Hough, Impallaria, K. Kelly, W. Miller, B. Robinson, Simmons, and Stocksdales**

AN ACT concerning

#### **Criminal Law – Recidivism Reduction Pilot Program**

FOR the purpose of requiring the Division of Parole and Probation to establish a program that, on or before a certain date, results in at least a certain percentage of supervised individuals being supervised in accordance with certain evidence-based practices; requiring the program to include certain elements; requiring the Division to provide certain employees with certain training and professional development services; requiring the Division to submit a certain report to the Governor, General Assembly, and Court of Appeals on or before a certain date each year; requiring the Secretary of Public Safety and Correctional Services to adopt regulations to implement this Act; defining certain terms; making the provisions of this Act severable; providing for the termination of this Act; and generally relating to the Recidivism Reduction Pilot Program.

BY adding to

Article – Correctional Services

Section 6–301 through 6–305 to be under the new subtitle “Subtitle 3. Recidivism Reduction Pilot Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 965 – Delegate George**

AN ACT concerning

#### **Physician Assistants – Use of C–Arm Devices**

FOR the purpose of authorizing physician assistants to use certain c–arm devices in accordance with certain standards; and generally relating to the use of c–arm devices by physician assistants.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 15–301(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 15–301(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.



**House Bill 966 – Delegates O’Donnell, Bohanan, and Wood**

AN ACT concerning

**Natural Resources – Restricted Waters for Shellfish Harvesting – Method of Testing**

FOR the purpose of requiring the Department of the Environment to use a certain test to detect *Escherichia coli* (*E. coli*) in determining whether to restrict, or lift any restrictions on, an area for the catching or storing of shellfish; and generally relating to methods of testing to determine restricted waters for shellfish harvesting.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4-742  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 967 – Delegates Olszewski, Arora, Barnes, Bates, Burns, Clippinger, Impallaria, Kach, Kipke, McDonough, Mitchell, B. Robinson, Sophocleus, Valderrama, and Wood**

AN ACT concerning

**Criminal Law – Malicious Destruction of Property – Penalties**

FOR the purpose of increasing the penalties for willfully and maliciously destroying, injuring, or defacing the real or personal property of another; and generally relating to the malicious destruction of property.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 6-301  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 968 – Delegates Parrott, Afzali, Carter, Clippinger, Dumais, George, Glass, Hough, McComas, McDermott, and Smigiel**

AN ACT concerning

**Justice's Law**

FOR the purpose of expanding the list of persons who can be convicted of first degree child abuse under certain circumstances; 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 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 969 – Delegate Myers**

AN ACT concerning

**Building Codes – Department of Housing and Community Development –  
Plumbing and Heating, Ventilation, Air-Conditioning, and Refrigeration**

FOR the purpose of requiring the Department of Housing and Community Development, rather than the State Board of Plumbing and the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, to adopt a State Plumbing Code and a State Heating, Ventilation, Air-Conditioning, and Refrigeration Code; altering a certain provision authorizing the State Board of Plumbing to adopt certain regulations; requiring the Department to adopt the International Plumbing Code, the International Fuel Gas Code, and the International Mechanical Code as part of the Model Performance Building Standards; requiring the Department to submit certain amendments within a certain period of time to make certain codes consistent with the Maryland Building Rehabilitation Code; making conforming changes; 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 adoption of the State Plumbing Code and the State Heating, Ventilation, Air-Conditioning, and Refrigeration Code.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–101(p), 12–205, and 12–206  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Business Regulation

Section 9A–205  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 2–102(a)  
Annotated Code of Maryland  
(2006 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–502(a), 12–503, and 12–1006  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–205  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 407 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 970 – Delegates Eckardt, Dwyer, Frank, and Haddaway–Riccio**

AN ACT concerning

**Election Law – Absentee Ballots**

FOR the purpose of authorizing a voter to designate a duly authorized agent to complete certain acts for the voter regarding absentee ballots; requiring a voter to designate a duly authorized agent of the voter if the individual is directed to complete certain acts for the voter regarding absentee ballots; specifying that a voter is not required to designate a duly authorized agent if the individual is only returning the voter’s completed absentee ballot; altering the affidavit requirements for a duly authorized agent of a voter; prohibiting certain persons from directly or indirectly collecting a voter’s completed absentee ballot; establishing a certain penalty; making a stylistic change; and generally relating to absentee ballots.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 9–307  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Election Law  
Section 16–208  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 971 – Delegates Parrott, Hough, McComas, and Smigiel**

AN ACT concerning

**Criminal Law – Prohibition on Abandoned Refrigerators – Civil Offense**

FOR the purpose of establishing that it is a civil offense instead of a criminal offense for a person to place an abandoned refrigerator, icebox, or freezer cabinet outside a building or dwelling in a place accessible to children, uncrated, and not capable of being opened from the inside; repealing certain criminal penalties; establishing a certain penalty for a violation of this Act; establishing that an adjudication under this Act is not a criminal conviction for any purpose and does not impose any civil disability that may result from a criminal conviction; authorizing a police officer to issue a citation for an alleged violation of this Act; requiring the police officer to sign the citation; establishing the contents of the citation; requiring the District Court to establish the form for the citation; requiring the District Court to establish a schedule for prepayment of a certain fine; requiring the law enforcement agency of the police officer who issued the citation to forward to the District Court a copy of the citation and request for trial; requiring the District Court to schedule the case for trial and summon the defendant to appear; providing the procedural requirements for a certain trial; establishing the rights of the defendant in a certain trial; authorizing the court to place the defendant on probation in a certain manner; authorizing the court to suspend the fine or defer the fine under certain circumstances; establishing that failure to pay the fine may be treated as criminal contempt; authorizing the defendant to file certain post-trial motions; establishing the authority of the State's Attorney in prosecuting a violation under this Act; and generally relating to the offense of abandoning a refrigerator.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 10–109  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 972 – Delegates Stein, Carr, Gilchrist, Glenn, Healey, Holmes, and Lafferty**

AN ACT concerning

**Building Codes – International Green Construction Code**

FOR the purpose of authorizing the Department of Housing and Community Development to adopt by regulation the International Green Construction Code; authorizing local jurisdictions to adopt the International Green Construction Code as an alternative to the Maryland Building Performance Standards; defining a certain term; altering a certain definition; and generally relating to the International Green Construction Code.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–501, 12–503, and 12–504  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1(a)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 973 – Delegates Eckardt, Cane, and Haddaway–Ricchio**

AN ACT concerning

**Dorchester County Liquor Act of 2011**

FOR the purpose of repealing a certain obsolete residency requirement for voters supporting an application for an alcoholic beverages license in Dorchester County; specifying that a certain prohibition against alcoholic beverages sales at a bar or counter on Sunday does not apply in the county; repealing certain obsolete language concerning Sunday sales; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 10–103(b)(18)(i) and (iv), 10–104(a), and 11–403(a)(1) and (b)(1) and (2)(xi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing

Article 2B – Alcoholic Beverages  
Section 10–104(k)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 11–403(a)(11)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 11–403(b)(2)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 974 – Delegates Tarrant, Bromwell, Costa, Elliott, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Oaks, Reznik, and V. Turner**

AN ACT concerning

**Health Insurance – Preauthorization of Health Care Services – Use of Electronic Health Records**

FOR the purpose of requiring certain health insurance carriers to make a decision on a request for preauthorization of a health care service or prescription within a certain period of time if the health care provider making the request uses a certain electronic health record that is connected to a certain health information exchange or serviced by a certain management service organization; providing that a carrier is deemed to have approved a request for preauthorization of a health care service or prescription if the carrier has not made a decision on the request within a certain period of time; providing for the application of this Act; defining certain terms; and generally relating to the use of electronic health records for preauthorization of health care services under health insurance.

BY adding to

Article – Insurance  
Section 15–1011  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General  
Section 19–706 (kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 975 – Delegates Love, Barnes, Beidle, Costa, Frush, George, Kipke, Pena–Melnyk, Schuh, and Sophocleus**

AN ACT concerning

**Gaming – Instant Bingo – Electronic Machines**

FOR the purpose of authorizing the operation of certain instant bingo games using electronic machines; providing that the electronic instant bingo machines must have been in operation during a certain period or that the machines be in operation under a commercial bingo license on a certain date; prohibiting the operation of more than a certain number of electronic instant bingo machines that were in operation on a certain date; requiring the conduct of the gaming and the operation of the machines to be consistent with certain provisions of law; and generally relating to instant bingo operations.

BY adding to  
Article – Criminal Law  
Section 12–308  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 976 – Delegates Hucker, Glenn, Carr, Clippinger, Cullison, Frick, Mitchell, Murphy, Pena–Melnyk, S. Robinson, Rosenberg, Ross, Summers, Tarrant, V. Turner, Valderrama, Washington, Wilson, and Zucker**

AN ACT concerning

**Displaced Building Service Workers Protection Act**

FOR the purpose of requiring certain employers who have been awarded a building or food service service contract as a successor employer to retain certain service workers for a certain transition employment period; requiring certain employers to provide a list containing employee information to certain employers and to post certain information; requiring certain employers to maintain a preferential hiring list for certain workers not retained during the transition period;

requiring certain employers to make certain offers of employment to certain employees; requiring certain employers to perform a written performance evaluation for each employee retained during the transition period; requiring certain employers to retain employees with satisfactory performance evaluations after the transition employment period ends; creating a certain right of action for certain employees under certain circumstances; providing for the construction of this Act; establishing certain penalties; defining certain terms; and generally relating to displaced building service workers.

BY adding to

Article – Labor and Employment

Section 3–1101 through 3–1106 to be under the new subtitle “Subtitle 11.  
Displaced Building Service Workers”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 977 – Delegates Olszewski, Aumann, Barnes, Bates, Boteler, Branch, Bromwell, Cardin, Clagett, Clippinger, DeBoy, Elliott, Frank, George, Glass, Guzzone, Haddaway–Ricchio, Healey, Hershey, Hixson, Howard, Impallaria, Kipke, Luedtke, McMillan, A. Miller, Minnick, Myers, O’Donnell, B. Robinson, Rosenberg, Ross, Schuh, Schulz, Serafini, Smigiel, Stocksdales, Stukes, Summers, Walker, Weir, and Wood**

AN ACT concerning

**Public Schools – Enrollment and Transfer – Parental Decision**

FOR the purpose of authorizing the parent or guardian of a student eligible for enrollment in certain public schools to decide to enroll the student in a public school in the county other than the public school to which the student was assigned by a county board of education beginning in a certain school year; requiring a county board to publish certain classroom seat information on or before a certain date each year; requiring certain classroom seats to be open to certain students on a space–available basis; requiring certain schools to enroll and admit certain students on a lottery basis under certain circumstances; requiring each county board to develop and adopt a certain process on or before a certain date; authorizing certain students to attend certain schools for a certain period of time; requiring a certain parent or guardian to sign a certain form regarding the transportation of a certain student; providing that certain provisions of law may not be construed to affect certain students who enroll or transfer schools under other provisions of law or a certain federal law; and generally relating to a parent or guardian’s decision to enroll or transfer a student in public schools.



BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–109  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 4–110  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 978 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

**Prince George’s County – Palmer Park Boys and Girls Club Loan of 2001**

FOR the purpose of amending the Palmer Park Boys and Girls Club Loan of 2001 to provide that the proceeds of the loan must be expended or encumbered by the Board of Public Works no later than June 1, 2013; and generally relating to amending the Palmer Park Boys and Girls Club Loan of 2001.

BY repealing and reenacting, with amendments,  
Chapter 680 of the Acts of the General Assembly of 2001, as amended by Chapter 32 of the Acts of the General Assembly of 2003, Chapter 30 of the Acts of the General Assembly of 2004, Chapter 219 of the Acts of the General Assembly of 2008, and Chapter 707 of the Acts of the General Assembly of 2009  
Section 1

Read the first time and referred to the Committee on Appropriations.

**House Bill 979 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of Seat Pleasant  
Public Works 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 Mayor and Common Council of the City of Seat Pleasant 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 980 – Delegates B. Robinson, Branch, Braveboy, Conaway, Costa, Cullison, Howard, Hubbard, Kipke, Lafferty, Nathan–Pulliam, Pena–Melnyk, Sophocleus, Stein, and Tarrant**

AN ACT concerning

**Developmental Disabilities Administration – Licensees – Duties and Immunities**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt certain rules and regulations that require a licensee of the Developmental Disabilities Administration to take certain actions before hiring an employee; requiring certain licensees to respond promptly to certain requests for information; providing that persons that make certain disclosures to certain employees shall have certain immunities and protections; requiring the Administration to educate certain licensees about certain duties and immunities; requiring the Administration to establish and maintain a certain database on or before a certain date; requiring the Administration to provide access to the database to certain persons; making a stylistic change; and generally relating to licensees of the Developmental Disabilities Administration.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–904  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 7–911  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 981 – Delegates Gilchrist, Glenn, Hucker, and Lafferty**

AN ACT concerning

**Housing – Maryland Building Performance Standards – Accessibility Standards**

FOR the purpose of altering a certain prohibition on the Department of Housing and Community Development against adopting, as part of the Maryland Building Performance Standards, a modification that is more stringent than a certain building code; requiring the Department to adopt as a modification of the Maryland Building Performance Standards a requirement that a single family dwelling unit in a development have at least one entrance that meets certain accessibility standards under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to accessibility standards for single family dwelling units.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–503  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to  
Article – Public Safety  
Section 12–503.1  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 982 – Delegate Rudolph**

AN ACT concerning

#### **Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms**

FOR the purpose of prohibiting a person from preparing or issuing or requiring the preparation or issuance of a certificate of insurance unless the certificate of insurance form has been filed with and approved by the Maryland Insurance Commissioner; providing a certain exception; prohibiting a person from altering or modifying a certain certificate of insurance form; requiring the Commissioner to disapprove a certificate of insurance form or withdraw approval of a certificate of insurance form under certain circumstances; requiring a certificate of insurance to contain certain language; prohibiting a certificate of insurance from containing a reference to a certain contract; prohibiting a person from requiring an insurer or insurance producer to prepare or issue, or a policyholder to provide, a certificate of insurance that contains false or misleading information relating to the policy of insurance referenced in the certificate; prohibiting a person from preparing or issuing a certificate of insurance that the person knows contains certain information or that purports to amend, alter, or extend certain coverage; prohibiting a person from preparing, issuing, or

requiring, either in addition to or in lieu of a certificate of insurance, an opinion letter or other document that is inconsistent with this Act; providing that a certificate of insurance is not a policy of insurance and does not amend, alter, or extend certain coverage or confer certain rights on a certificate holder; specifying the circumstances under which a certificate holder has a legal right to certain notice; providing that a certificate of insurance or any other document prepared, issued, or required in violation of this Act is void and unenforceable; authorizing the Commissioner to examine and investigate the activities of any person that the Commissioner reasonably believes has been or is engaged in an act or practice prohibited by this Act; authorizing the Commissioner to enforce this Act and impose certain penalties and remedies; requiring the Commissioner to adopt certain regulations; providing for the application of this Act; defining certain terms; and generally relating to certificates of insurance and certificate of insurance forms.

BY adding to

Article – Insurance

Section 19–116

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 983 – Delegates Rudolph, Bromwell, Donoghue, Elliott, Frank, Kach, Krebs, Oaks, Ready, Tarrant, and V. Turner**

AN ACT concerning

**Public Health – Cord Blood Transplant Program**

FOR the purpose of establishing the Cord Blood Transplant Program in the Department of Health and Mental Hygiene for certain purposes; establishing the Cord Blood Transplant Center Support Fund; providing for the purpose of the Fund; requiring the Department to administer the Fund; specifying that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the fund separately and invest and reinvest money in the Fund in a certain manner; requiring the State Comptroller to account for the Fund; specifying that the Fund consists of certain money, and that investment earnings be paid into the Fund; specifying the purposes for which the Fund may be used; specifying that expenditures from the Fund may be made only in accordance with the State budget; authorizing certain qualified medical institutions to apply for a certain grant from the Fund each year; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the Cord Blood Transplant Center Support Fund.

BY adding to

Article – Health – General

Section 13–3001 through 13–3004 to be under the new subtitle “Subtitle 30.  
Cord Blood Transplant Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 984 – Delegate Braveboy**

AN ACT concerning

#### **Real Property – Common Ownership Communities – Dispute Settlement Mechanism**

FOR the purpose of altering the application of a certain dispute settlement mechanism under the Maryland Condominium Act; establishing a certain dispute settlement mechanism under the Maryland Homeowners Association Act; requiring a governing body of a homeowners association to follow certain procedures before imposing a sanction for a rule violation; authorizing a certain action for damages or injunctive relief under certain circumstances; establishing that the failure of the governing body of a homeowners association to enforce certain provisions is not a waiver of the right to enforce a provision; providing for the application of this Act; and generally relating to the Maryland Condominium Act, the Maryland Homeowners Association Act, and common ownership community dispute settlement procedures.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–113

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property

Section 11B–111.7

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 985 – Delegates Oaks, Burns, Carter, Clagett, Glenn, Haynes, Minnick, Mitchell, B. Robinson, Stukes, Vaughn, Washington, Wilson, and Wood**

AN ACT concerning

**Maryland Transit Administration – Recovery of Fares and Free Ridership for State Employees**

FOR the purpose of altering the percentages of the total operating costs for certain services that the Maryland Transit Administration is required to recover from fares and other operating revenues; requiring the Administration to extend to employees of the Judicial Branch and the Legislative Branch of State government, the application of any program, policy, or practice through which free ridership on transit vehicles is offered to employees of the Executive Branch of State government; updating a certain provision of law; and generally relating to the Maryland Transit Administration and recovery of fares and free ridership for State employees.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–208(b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 986 – Delegates Hubbard, Costa, and Stocksdale**

AN ACT concerning

**Pharmacists – Administration of Vaccines – Children**

FOR the purpose of altering the age of an individual to whom a pharmacist may administer certain vaccines under certain circumstances; and generally relating to the administration of vaccines by pharmacists to children.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 987 – Delegates Hubbard, Carr, Frush, and Morhaim**

AN ACT concerning

**Electric Industry – Local Aggregation**

FOR the purpose of repealing the prohibition of a county or municipal corporation from acting as an aggregator unless the Public Service Commission makes a certain determination; and generally relating to the ability of a county or municipal corporation to act as an aggregator of electricity.

BY repealing

Article – Public Utilities  
Section 7–510(f)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 988 – Delegates Braveboy, Anderson, Barkley, Barnes, Burns, Carter, Glenn, Haynes, Howard, Hucker, Lee, McHale, Mizeur, Niemann, Oaks, S. Robinson, Ross, V. Turner, Valderrama, Vaughn, and Washington**

AN ACT concerning

**Labor and Employment – Maryland Wage and Hour Law – Payment of Wages**

FOR the purpose of specifying the amount of the State minimum wage rate that is in effect for certain 12–month periods; specifying that, beginning with a certain 12–month period, the rate is the amount published in a certain manner by the Commissioner of Labor and Industry; requiring the Commissioner, beginning on a certain date and for each year thereafter, to set the rate in a certain manner; requiring that the Commissioner publish the rate in the Maryland Register on or before a certain date each year; specifying the method by which the rate is to be determined; repealing the exemption from the Maryland Wage and Hour Law for certain individuals; repealing the exemption from a certain provision of law related to the payment of overtime wages for certain employers; altering the percentage of the minimum wage rate that can be included by an employer as a tip credit amount as part of an employee’s wage; altering the number of hours to be used by certain employers to compute overtime wages for certain employees; and generally relating to the payment of wages under the Maryland Wage and Hour Law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 3–403, 3–413, 3–415, 3–419, and 3–420  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 989 – Delegate Hubbard**

AN ACT concerning

**State Board of Environmental Health Specialists – Transfer of  
Responsibilities**

FOR the purpose of renaming the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transferring the duties of the Board from the Department of the Environment to the Department of Health and Mental Hygiene; renaming environmental sanitarians to be environmental health specialists; altering the length of terms for certain Board members; altering a certain date relating to the staggering of the terms of Board members; altering the number of terms certain Board members may serve; requiring the Board to notify certain environmental health specialists of certain vacancies on the Board and provide the Secretary of Health and Mental Hygiene with a certain number of names for each vacancy; requiring the Board to determine the duties of certain officers; clarifying certain quorum requirements; authorizing the Board to employ certain staff in accordance with the budget of the Board; authorizing the Board to sue to enforce certain provisions by injunction and issue certain subpoenas, summon certain witnesses, administer certain oaths, take certain affidavits, and take certain testimony; establishing the State Board of Environmental Health Specialists Fund; requiring the Board to set certain fees; requiring the Board to pay certain funds to the Comptroller; requiring the Comptroller to distribute certain funds to the Fund; establishing certain requirements for administering the Fund; requiring that certain applicants be of good moral character and at least a certain age; authorizing the Board to send certain notices by electronic means; requiring the Board to establish certain continuing education requirements; establishing a certain violation for failing to cooperate with certain investigations; prohibiting certain persons from using certain titles and initials; altering certain penalties; providing that certain Board members may continue to serve for a certain term and that certain provisions will apply to certain vacancies on the Board; providing that certain licensed individuals may continue to practice as environmental sanitarians until certain licenses to practice as environmental health specialists are issued; repealing certain obsolete provisions; making certain technical, conforming, and stylistic changes; defining certain terms; and generally relating to the State Board of Environmental Health Specialists.

BY transferring

Article – Environment

Section 11–101 through 11–502, respectively, and the title “Title 11.  
Environmental Sanitarians”

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

to be

Article – Health Occupations



Section 21–101 through 21–502, respectively, and the title “Title 21. Environmental Sanitarians”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 21–101; 21–201 through 21–206 and the subtitle “Subtitle 2. State Board of Environmental Sanitarians”; 21–301 through 21–310 and 21–312 through 21–315; 21–401 and 21–402; and 21–501 to be under the amended title “Title 21. Environmental Health Specialists”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 21–102 and the subtitle “Subtitle 1. General Provisions”; 21–207; 21–311 and the subtitle “Subtitle 3. Licensing”; the subtitle “Subtitle 4. Prohibited Acts; Penalties”; and 21–502 and the subtitle “Subtitle 5. Short Title; Termination of Title”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(23)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Environmental Matters.

### **House Bill 990 – Delegate Schuh**

AN ACT concerning

#### **Motor Vehicle Administration – Selective Service Registration – Driver’s License and Identification Card Applicants**

FOR the purpose of repealing a certain provision making the Motor Vehicle Administration’s collection and electronic forwarding of Selective Service registration information on certain individuals to the Selective Service Administration contingent on the Motor Vehicle Administration’s receipt of federal funds to pay for certain start-up costs; repealing a certain provision requiring the Motor Vehicle Administrator to initiate and monitor efforts to

obtain certain federal funds and to report to the Department of Legislative Services when a certain contingency is fulfilled; and generally relating to the Motor Vehicle Administration and Selective Service registration.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 12–304

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

(As enacted by Chapter 309 of the Acts of the General Assembly of 2002)

BY repealing

Chapter 309 of the Acts of the General Assembly of 2002

Section 2 and 3

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 991 – Delegates Schuh and McConkey**

AN ACT concerning

#### **Anne Arundel County Board of Education – Members – Increase and Selection**

FOR the purpose of increasing the number of members of the Anne Arundel County Board of Education; requiring that certain members of the county board be elected at a certain election; providing for the residency, the terms of office, and the filling of a vacancy of certain members of the county board; authorizing the Anne Arundel County Board of Elections to adopt certain regulations; making certain conforming changes; and generally relating to the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–110 and 3–114

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 992 – Calvert County Delegation**

AN ACT concerning

#### **Calvert County – Regulation of Roads**

FOR the purpose of authorizing the County Commissioners of Calvert County, by ordinance, to regulate the grading, constructing, improving, maintaining, and repairing of certain roads; authorizing the County Commissioners to regulate the construction and maintenance activities of private and public utilities in county rights-of-way; authorizing the County Commissioners to regulate access to county-owned roads; authorizing the County Commissioners to establish certain minimum standards for new roads; authorizing the County Commissioners to regulate the engineering and constructing and acceptance into the county roads system of certain new public roads, bridges, sidewalks, curbs, gutters, and storm drainage facilities; authorizing the County Commissioners to establish certain fees and provide for certain civil penalties; providing for the enforcement of an ordinance enacted under this Act in the same manner and to the same extent as certain municipal infractions; authorizing the County Commissioners to seek other remedies provided by law; providing for the application of this Act; and generally relating to the authority of the County Commissioners of Calvert County to regulate roads in the county.

BY adding to

Article 25 – County Commissioners  
Section 11  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 993 – Montgomery County Delegation and Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Development and Ethics Reform Act of 2011**

**MC/PG 118–11**

FOR the purpose of specifying that the ethics provisions required to be enacted by Prince George’s County shall contain certain provisions; prohibiting a lobbyist who is regulated under the ethics provisions of Prince George’s County from engaging in lobbying activities for contingent compensation; prohibiting the Prince George’s County government from issuing a credit card to an elected county official; prohibiting an elected county official from soliciting certain persons to enter into a business relationship with, or to provide anything of value to, certain other persons; requiring that the Prince George’s County Board of Ethics be composed of a certain number of members and have an executive director; requiring the county to provide for an ethics advisor who shall perform certain duties; establishing a Board of Planning and Zoning Appeals in the county; providing for the membership, appointment, terms, and responsibilities of the Board of Planning and Zoning Appeals; transferring certain powers and

responsibilities of the County Council of Prince George's County, sitting as a district council, to the Board of Planning and Zoning Appeals; authorizing the Board of Planning and Zoning Appeals to make certain decisions on certain zoning map amendment and special exception applications; requiring a certain vote for the approval of certain zoning map amendments and certain special exceptions; authorizing the Board of Planning and Zoning Appeals to consider and adopt certain requirements, safeguards, and conditions in approving certain zoning map amendments; prohibiting the Board of Planning and Zoning Appeals from imposing certain requirements, safeguards, or conditions; authorizing appeal and judicial review of certain decisions; providing for the construction of this Act; and generally relating to development and ethics reform in Prince George's County.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–807(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–808  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–103.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–104, 8–106, 8–109(a), 8–110, 8–110.1, 8–110.2, 8–111(b)(2), 8–121,  
8–122, 8–122.1(a), and 8–124  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 994 – Delegates Glass, Afzali, and McComas**

AN ACT concerning

**Harford County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Harford County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; 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 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 995 – Delegate Bohanan**

AN ACT concerning

#### **Higher Education – Regulation of Public, Private Nonprofit, and For-Profit Institutions of Higher Education**

FOR the purpose of distinguishing between public, private nonprofit, and for-profit institutions of higher education; prohibiting a person from engaging in certain unfair or deceptive practices in the offer for sale of course credit or other educational services; authorizing the Maryland Higher Education Commission to create and provide for the operation of a certain guaranty fund to be used for certain purposes; requiring for-profit institutions of higher education to pay a certain fee into the fund; authorizing the Commission to impose certain penalties on certain for-profit institutions of higher education; authorizing the Commission to revoke or suspend the certificate of approval of certain for-profit institutions of higher education under certain circumstances; prohibiting certain institutions of higher education from paying certain financial or other incentives based on certain success to a person or entity engaged in student recruitment or admission activity; defining certain terms; making clarifying and stylistic changes; and generally relating to the regulation of public, private nonprofit, and for-profit institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–303  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 10–101, 10–211, 11–105(g) and (k), 11–201, 11–202.1(a), 11–203(d), 11–204(c), 11–205, 11–206(a), (b), and (d), 11–206.1(a), (b), (e)(1), (f)(5), and (i)(3), 11–402, 11–701, 11–902(b)(4)(iii)3., 16–108(a), 17–101,

17–105(b) and (d), 18–103, 18–708(a)(3), 18–2201(b), 18–2301(b),  
18–2502, 18–2503, 18–2504(c)(1), 21–501(a)(3), and 24–707(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Education

Section 11–402.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 996 – St. Mary’s County Delegation**

AN ACT concerning

#### **St. Mary’s County – Alcoholic Beverages – Beer Festival License**

FOR the purpose of authorizing the Alcoholic Beverage Board of St. Mary’s County to issue a special beer festival (BF) license; establishing certain requirements for license applicants and for holders of special beer festival licenses; establishing a certain fee; specifying that a licensee is not prohibited from holding a certain other license; requiring the Alcoholic Beverage Board to approve the time and location of a beer festival subject to certain limitations and to ensure a certain primary focus for a beer festival; requiring the Alcoholic Beverage Board to adopt certain regulations; and generally relating to beer festivals in St. Mary’s County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–806

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 997 – Delegates Schuh, Afzali, Aumann, Bates, Beitzel, Boteler, Cluster, Costa, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Ricchio, Hershey, Hogan, Hough, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, McMillan, W. Miller, Myers, Norman, O’Donnell, Otto, Parrott, Ready, Schulz, Serafini, Smigiel, Stifler, Stocksdales, Szeliga, and Vitale**

#### 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 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 998 – Delegates Valentino–Smith, Boteler, Conaway, Dwyer, K. Kelly, McComas, and Minnick**

AN ACT concerning

**Militia – Employment for Military Spouses – Teachers, Health Care Practitioners, and Business Occupations and Professions**

FOR the purpose of requiring the Adjutant General or the Adjutant General's designee to assist certain military spouses in finding certain employment under certain circumstances; requiring certain teachers to be granted tenure under certain circumstances; and generally relating to employment for military spouses.

BY adding to

Article – Education  
Section 6–201.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–202(b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–202(b)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 13–302  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 999 – Delegate James**

AN ACT concerning

#### **Harford County – Juvenile Court – Truancy Court Petition**

FOR the purpose of repealing, in Harford County, a certain requirement that a certain criminal charge against a certain person must be filed and dismissed or stетted before filing a truancy petition in the juvenile court under the Truancy Reduction Pilot Program; providing that certain requirements relating to criminal charges being filed against a certain person with legal custody of a child do not apply to a Truancy Reduction Pilot Program in Harford County; and generally relating to a petition filed in truancy court in Harford County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–04  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education



Section 7-301(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7-301(e-1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1000 – Delegate Hogan**

AN ACT concerning

#### **Election Law – Campaign Advertisements – Closed Captioning**

FOR the purpose of requiring a certain campaign finance entity to include closed captioning for individuals who are deaf or hard of hearing in campaign advertisements that are distributed by broadcast or cable television or on its Web site; providing certain exemptions; specifying certain factors to be considered when applying a certain exemption; prohibiting a certain campaign finance entity from distributing a campaign advertisement by broadcast or cable radio, subject to certain conditions; exempting a violation of a certain provision of law from a certain penalty; and generally relating to campaign advertisements and closed captioning for the deaf or hard of hearing.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1-101(k) and 13-403  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 13-404  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13-604(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1001 – Delegates Frick, Arora, Barkley, Barve, Cardin, Cullison, Dumais, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Healey, Hixson, Huckler, Ivey, Kaiser, A. Kelly, Lee, Luedtke, A. Miller, Mizeur, Murphy, Niemann, Oaks, Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Ross, Stukes, Summers, Tarrant, V. Turner, Vaughn, Walker, and Zucker**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Transportation Trust Fund – Financing – Use of Funds**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund of the State with a certain exception; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to a special fund of the State with a certain exception; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; submitting an amendment to the Maryland Constitution to the qualified voters of the State of Maryland for their adoption or rejection; increasing the motor fuel tax rates for certain motor fuel; requiring that the motor fuel tax rates for certain motor fuel be increased annually beginning on a certain date based on the annual percentage growth in a certain index; prohibiting an increase in certain motor fuel tax rates of more than a certain amount annually; requiring persons who hold tax–paid motor fuel on the date of an increase in the motor fuel tax to remit any additional tax due on the fuel; requiring the Comptroller to determine and announce the annual percentage growth in a certain index and the motor fuel tax rates for the next fiscal year by a certain date; defining a certain term; increasing certain motor vehicle registration fees; and generally relating to the financing and use of funds of the Transportation Trust Fund.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 9–305  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–912, 13–913, 13–914, 13–915, 13–916, 13–917, 13–919(f), 13–920(d),  
13–921, 13–923, 13–924, 13–927, 13–930, 13–932, 13–933, 13–934,  
13–935, 13–936(d) and (i), 13–936.1, 13–937, 13–937.1(c), 13–939,  
13–939.1, and 13–939.2

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–918, 13–919(a), 13–920(a), 13–936(a), (b), (c), and (e), 13–937.1(a),  
(b), (d), and (e)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1002 – Delegates Rosenberg, Carter, Donoghue, Feldman, Oaks,  
Pena–Melnyk, and Reznik**

AN ACT concerning

**The Religious Observance Accommodation Act**

FOR the purpose of authorizing employees of certain employers to use certain leave for observance of sincerely held 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 or files a complaint, testifies, or assists in a certain action against an employer for a violation of this Act; prohibiting an employee from making certain groundless or malicious complaints against an employer; defining certain terms; providing for the construction of certain provisions of this Act; providing for the application of this Act; and generally relating to the Religious Observance Accommodation Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–606(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 20–610  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1003 – Delegates W. Miller and Bates**

AN ACT concerning

**Unemployment Insurance Benefits – Disqualification**

FOR the purpose of providing that an individual who is otherwise eligible to receive unemployment insurance benefits is disqualified from receiving benefits if the Secretary of Labor, Licensing, and Regulation finds that the individual's unemployment resulted from being discharged because the individual was no longer legally able to work in the United States.

BY adding to

Article – Labor and Employment  
Section 8–1010  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1004 – Delegates Weir and Norman**

AN ACT concerning

**Real Property – Landlord and Tenant – Breach of Lease**

FOR the purpose of reducing the amount of notice that a landlord must give to evict a tenant if a breach of the lease involves behavior by the tenant or a certain other person that disturbs the public peace under certain circumstances; making stylistic changes; and generally relating to the breach of a lease by a tenant.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 10–201(c)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 8–402.1(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1005 – Prince George’s County Delegation**

AN ACT concerning

**Public Utility Companies – University of Maryland, College Park Bus Service  
– Motor Carrier Permit Exemption – Removal of Sunset**

**PG 403–11**

FOR the purpose of providing that a motor carrier permit is not required for a shuttle bus service operated by the University of Maryland, College Park for its students that is also used to provide, in exchange for payment by the municipal corporation in which the University of Maryland, College Park operates shuttle bus service, transportation service to the residents of the municipal corporation; removing the termination provision applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; and generally relating to bus service provided by the University of Maryland, College Park to its students and to the residents of a certain municipal corporation.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 9–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Chapter 346 of the Acts of the General Assembly of 2008  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 347 of the Acts of the General Assembly of 2008  
Section 3

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1006 – Prince George’s County Delegation**

AN ACT concerning

**Prince George's County – Transfer Tax – Exemption and Rate Reduction for  
State's Attorneys**

**PG 419–11**

FOR the purpose of providing an exemption from the Prince George's County transfer tax for the sale of certain property to a Prince George's State's Attorney, Deputy State's Attorney, or Assistant State's Attorney for a first purchase of residential real property in Prince George's County under certain circumstances; altering the maximum rate of the Prince George's County transfer tax for the sale of certain property to a Prince George's County State's Attorney, Deputy State's Attorney, or Assistant State's Attorney who purchases the property in Prince George's County for a second or subsequent time under certain circumstances; defining a certain term; and generally relating to the Prince George's County transfer tax.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Prince George's County  
Section 10–187(a)(1)  
Article 17– Public Local Laws of Maryland  
(2003 Edition and 2005 Supplement, as amended)

BY repealing and reenacting, without amendments,  
The Public Local Laws of Prince George's County  
Section 10–187(b)(4)  
Article 17– Public Local Laws of Maryland  
(2003 Edition and 2005 Supplement, as amended)  
(As enacted by Chapter 248 of the Acts of the General Assembly of 2007)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1007 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

**Creation of a State Debt – Prince George's County – Capitol Heights Seat  
Pleasant Boys and Girls Club Initiative**

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 Prince George's County 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 1008 – Delegates Glenn, Anderson, Carr, Harrison, Haynes, Lee,  
B. Robinson, and Stukes**

AN ACT concerning

**Firearms – Detachable Magazines – Maximum Capacity for Ammunition**

FOR the purpose of altering the maximum capacity for ammunition in a detachable magazine for a firearm that can be manufactured, sold, offered for sale, purchased, received, or transferred; altering the number of rounds of ammunition in a magazine or an assault pistol, which when used by a person in the commission of a felony or crime of violence, results in that person being guilty of a misdemeanor and subject to certain penalties; and generally relating to firearms with detachable magazines.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–305 and 4–306  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1009 – Delegates Vaughn, Alston, and Howard**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Suitland and Capitol  
Heights Green Initiative**

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 Omega Gold Development Group, 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 1010 – Delegates Glenn, Bromwell, Conaway, Harrison,  
B. Robinson, Stukes, and Tarrant**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Video Lottery Terminals – Expansion to Alcoholic Beverages Licensed Establishments**

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the State to issue video lottery operation licenses to holders of certain alcoholic beverages licenses; altering the number of video lottery terminals that may be authorized in the State; requiring that the State Lottery Agency supervise, administer, and license the operation of video lottery terminals; providing for the distribution of proceeds from the play of video lottery terminals; and submitting this amendment to the qualified voters of the State 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 1011 – Delegates Glenn, Anderson, Carter, Conaway, Harrison, Haynes, Oaks, B. Robinson, Stukes, and Washington**

AN ACT concerning

**Baltimore City Board of School Commissioners – Selection of Members –  
Local Referendum  
(Democracy in Education Act of 2011)**

FOR the purpose of increasing the number of members of the Baltimore City Board of School Commissioners; requiring a certain number of members of the board to be elected at-large by the voters of Baltimore City; altering the length of a term of the members of the board; requiring certain members of the board to be elected at a certain election and in accordance with certain provisions of law; providing for the termination of the term of certain elected members of the board; providing for the application of this Act; submitting this Act to a referendum of the qualified voters of Baltimore City; making conforming changes; and generally relating to the Baltimore City Board of School Commissioners and the selection of members.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108.1 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.



**House Bill 1012 – Delegates Kramer, Arora, Barkley, Frank, Frick, Haddaway–Riccio, Hixson, Hucker, Kach, Kaiser, A. Kelly, Krebs, Luedtke, McComas, A. Miller, W. Miller, Mizeur, Ready, Reznik, Sophocleus, Stein, and Stocksedale**

AN ACT concerning

**Drunk Driving Elimination Act**

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; altering the circumstances under which individuals may participate in the Program; requiring the Administration to require an individual convicted of certain alcohol–related driving offenses to participate in the Program for certain minimum amounts of time; requiring the Administration, under certain circumstances, to suspend the license of an individual who refuses to submit to a chemical test of blood or breath for a certain period of time and to require the individual to participate in the Program for a certain minimum period of time after the period of suspension; requiring the Administration to require a certain individual to successfully complete the Program; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring the Administration to suspend for certain amounts of time the drivers’ licenses of certain individuals who fail to successfully complete the Program; requiring the Administration to establish a certain fee; 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; establishing that Program participation that is required under certain circumstances shall run concurrently to participation ordered by a court; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(b) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–101(h) and 27–107(g)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1013 – Delegate Hixson**

AN ACT concerning

**State Department of Education – Permanent Hearing Aid Loan Bank  
Program – Establishment and Operation**

FOR the purpose of establishing a permanent Hearing Aid Loan Bank Program in the State Department of Education; providing for the staffing of the Program; establishing the purpose of the Program; requiring the Program to establish a Hearing Aid Loan Bank; establishing certain criteria for the maintenance of the Hearing Aid Loan Bank; specifying certain criteria for eligibility under the Program; specifying certain conditions for borrowing a hearing aid under the Program; requiring the State Board of Education to adopt certain regulations; requiring that certain instructions be provided to a parent or legal guardian of an eligible child; requiring the State Superintendent to submit a certain annual report to the Governor and General Assembly; defining certain terms; providing for the effective date of this Act; and generally relating to the Hearing Aid Loan Bank Program for eligible children.

BY adding to

Article – Education

Section 8–601 through 8–606 to be under the new subtitle “Subtitle 6. Hearing  
Aid Loan Bank Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1014 – Delegate F. Turner**

AN ACT concerning

**Vital Records – Birth Certificates – Adopted Persons**

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to break the seal of an original certificate of birth under certain circumstances; requiring the Secretary to provide, on request, a noncertified copy of a certain birth certificate to a certain adopted person or, under certain circumstances, the descendant of a certain adopted person; requiring the Secretary to collect certain fees; requiring the Secretary to adopt certain regulations; and generally relating to birth certificates of adopted persons.

BY repealing and reenacting, with amendments,  
Article – Health – General

Section 4–211 and 4–217(a) and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4–217(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1015 – Delegates Carter, Anderson, Carr, Cullison, Frush, Gaines, Gutierrez, Haynes, Oaks, and S. Robinson**

AN ACT concerning

**Health Insurance Carriers – Declinations of Applications for Coverage –  
Required Reporting**

FOR the purpose of altering the information that health insurance carriers are required to submit to the Maryland Insurance Commissioner in a certain report to include the reason that an application for individual health insurance coverage was declined; requiring the Commissioner to post certain information on the Maryland Insurance Administration’s Web site; requiring the Commissioner to compile a certain summary report of certain information and to make the report available to the public; requiring the Commissioner to adopt certain regulations; and generally relating to reporting information about applications for health insurance coverage.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–1301(a) and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–1303  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1016 – 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 \$20,855,000 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 1017 – Delegates O'Donnell, Afzali, Alston, Anderson, Arora, Aumann, Barkley, Barnes, Barve, Bates, Beidle, Beitzel, Bobo, Bohanan, Boteler, Branch, Braveboy, Bromwell, Burns, Busch, Cane, Cardin, Carr, Carter, Clagett, Clippinger, Cluster, Conaway, Conway, Costa, Cullison, Davis, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frank, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Gutierrez, Guzzone, Haddaway-Riccio, Hammen, Harrison, Haynes, Healey, Hershey, Hixson, Hogan, Holmes, Hough, Howard, Hubbard, Hucker, Impallaria, Ivey, Jacobs, James, Jameson, Jones, Kach, Kaiser, A. Kelly, K. Kelly, Kipke, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, McMillan, A. Miller, W. Miller, Minnick, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan-Pulliam, Niemann, Norman, Oaks, Olszewski, Otto, Parrott, Pena-Melnyk, Pendergrass, Proctor, Ready, Reznik, B. Robinson, S. Robinson, Rosenberg, Ross, Rudolph, Schuh, Schulz, Serafini, Simmons, Smigiel, Sophocleus, Stein, Stifler, Stocksdale, Stukes, Summers, Szeliga, Tarrant, F. Turner, V. Turner, Valderrama, Valentino-Smith, Vallario, Vaughn, Vitale, Waldstreicher, Walker, Washington, Weir, Wilson, Wood, and Zucker**

AN ACT concerning

**Vehicle Laws – Registration and Driver’s License Renewal Fees – No Charge  
for Recipients of Medal of Honor**

FOR the purpose of prohibiting the Motor Vehicle Administration from charging a recipient of the Medal of Honor a fee for the renewal of the registration of a vehicle owned by the Medal of Honor recipient or for the renewal of the Medal of Honor recipient’s noncommercial driver’s license; and generally relating to vehicle registration and driver’s license renewal fees.

BY adding to

Article – Transportation  
Section 13–416  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 16–111.2(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1018 – Delegates Glass, Afzali, Barve, Boteler, Haynes, Hixson,  
Howard, Kaiser, Krebs, Luedtke, McComas, Parrott, Rosenberg, Ross,  
Stukes, F. Turner, Valderrama, Waldstreicher, and Walker**

AN ACT concerning

**Family Law – Protective Orders – Additional Relief**

FOR the purpose of authorizing a judge, in a final protective order, to order the respondent to remain a specified distance away from a person eligible for relief, prohibit the respondent from being on a public or private road or parking lot adjacent to the residence of a person eligible for relief, and provide any other relief the judge determines is appropriate under the circumstances to protect a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 4–506(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1019 – Delegate Hixson**

AN ACT concerning

**Child Abuse and Neglect – Reasonable Corporal Punishment – Definition and Limitations**

FOR the purpose of specifying that for purposes of certain laws relating to child abuse and neglect, “abuse” does not include reasonable corporal punishment; defining “reasonable corporal punishment”; specifying that reasonable corporal punishment does not include certain actions; and generally relating to child abuse and reasonable corporal punishment.

BY renumbering

Article – Family Law

Section 5–701(u), (v), (w), (x), and (y), respectively  
to be Section 5–701(v), (w), (x), (y), and (z), respectively  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–701(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–701(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – Family Law

Section 5–701(u)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1020 – Delegates Valderrama and Vallario**

AN ACT concerning

**Criminal Procedure – Sex Offender Registry**

FOR the purpose of altering a certain retroactive applicability of certain provisions of law so as to include a person who is convicted of any felony rather than any crime on or after a certain date under certain circumstances; renaming a certain listing to be a certain registry; altering the predicate offenses and minimum age for inclusion on a certain registry of juvenile sex offenders; altering the term of registration on a certain registry of juvenile sex offenders; providing for a reduction in the term of registration for certain juvenile registrants under certain circumstances; requiring certain juvenile registrants to appear at a certain location at certain times to provide certain information and to allow the Department of Public Safety and Correctional Services to take a digital image of the juvenile registrant; requiring the Department of Public Safety and Correctional Services in conjunction with the Department of Juvenile Services to adopt certain regulations; defining a certain term; making a clarifying change; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(p)(1), 11–702.1, and 11–704.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1021 – Delegates Walker and F. Turner**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Gaming – Video Lottery Operation Licenses – Frederick County**

FOR the purpose of amending the Maryland Constitution to authorize video lottery terminal gaming at a location in Frederick County; 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 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 1022 – Delegates Vaughn, Barkley, Bobo, Braveboy, Harrison, Hucker, Jameson, Kramer, Love, Minnick, Niemann, Olszewski, and Washington**

AN ACT concerning

**Commercial Law – Debt Settlement Services**

FOR the purpose of prohibiting a person from offering, providing, or attempting to provide debt settlement services unless the person is registered as a debt settlement services provider with the Commissioner of Financial Regulation or is exempt from registration; authorizing the Commissioner to adopt regulations, enter into certain cooperative and information sharing agreements, and exchange certain information with certain agencies for a certain purpose; requiring a person registering as a debt settlement services provider or renewing a registration to pay certain fees; requiring certain fees to be deposited in a certain fund and used to cover certain costs and expenses incurred by the Commissioner; requiring an applicant for registration to file a certain application; specifying the information to be included in the application; providing that a registration may be renewed under certain circumstances; prohibiting a registrant from offering, providing, or attempting to provide debt settlement services in the State except as allowed under this Act; authorizing a registrant to charge a certain debt settlement services fee; prohibiting a registrant from charging a certain fee or requiring a certain contribution; prohibiting a registrant from charging a certain debt settlement services fee until after certain actions have been taken; providing that a certain provision of this Act does not prohibit a registrant from requesting or requiring a consumer to deposit certain funds in a certain account under certain circumstances; requiring a registrant to allow a consumer to withdraw from a debt settlement services agreement at any time; prohibiting a registrant from making a certain representation; requiring a debt settlement services agreement to be signed and dated by the registrant and the consumer and to include certain information and disclosures; requiring an advertisement for debt settlement services to include a certain disclosure; requiring a registrant that establishes a certain account to file a certain surety bond with the Commissioner; requiring a registrant to report certain information to the Commissioner on or before a certain date each year; 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; altering the content and purposes of a certain fund; providing for the application of this Act; providing that, under certain circumstances, certain provisions of this Act are in addition to and not in substitution for any other provision of law; establishing a certain short title; defining certain terms; making certain conforming changes; requiring the Office of the Commissioner of Financial Regulation in the Department of Labor, Licensing, and Regulation, in consultation with the Consumer Protection Division of the Office of the Attorney General, to report certain recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to debt settlement services and debt settlement services providers.



BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–301(14)(xxvi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 13–301(14)(xxvii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Commercial Law  
Section 13–301(14)(xxviii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 12–905  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Financial Institutions  
Section 12–1001 through 12–1017 to be under the new subtitle “Subtitle 10.  
Maryland Debt Settlement Services Act”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1023 – Delegates Glenn, Anderson, Conaway, Harrison, Haynes,  
McHale, B. Robinson, Stukes, and Tarrant**

AN ACT concerning

**Baltimore City – Liquor Stores – Premises Near Churches or Schools**

FOR the purpose of increasing the distance that liquor stores in Baltimore City are required to be from churches or schools; and generally relating to the distance that liquor stores are required to be from churches or schools.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.3

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1024 – Delegates Frank, Cluster, Anderson, Aumann, Bates, Beidle, Boteler, Burns, Costa, DeBoy, Donoghue, Dwyer, Elliott, Glass, Hogan, Impallaria, Jameson, Kach, K. Kelly, Kipke, Krebs, McComas, McDermott, Minnick, Myers, O'Donnell, Otto, Parrott, Proctor, Ready, Serafini, Smigiel, Sophocleus, Stocksdales, Szeliga, and Wood**

AN ACT concerning

**Criminal Law – Murder or Manslaughter – Fetus**

FOR the purpose of repealing references to the term “viable” with respect to a fetus for purposes of certain provisions of law concerning the offense of murder or manslaughter of a fetus; defining the term “fetus” for purposes of a prosecution for the offense of murder or manslaughter of a fetus; repealing a certain definition of “viable” rendered obsolete by this Act; providing for the application of this Act; and generally relating to the offense of murder or manslaughter of a fetus.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–103

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1025 – The Speaker (By Request – Administration)**

AN ACT concerning

**Natural Resources – Land Acquisitions**

FOR the purpose of requiring the Department of Natural Resources to negotiate land acquisitions under certain circumstances; requiring the Department to obtain a certain number of independent appraisals of a property before certain acquisitions; requiring certain land acquisition contracts to be approved and executed by the Board of Public Works; requiring the Department to give written notice of potential land acquisitions to certain governmental bodies under certain circumstances; authorizing certain governmental bodies to submit written comments to the Department in a certain timeframe; requiring the Board of Public Works to supervise certain expenditures for certain land acquisitions; authorizing the Department to dispose of certain land under

certain circumstances; authorizing the Board of Public Works to exempt certain projects from certain requirements; requiring the Department to adopt certain regulations, including regulations developed in consultation with the Department of General Services; making technical corrections; requiring the Department of Natural Resources to prepare and revise a certain plan in consultation with the Department of Planning; exempting certain land acquisitions by the Department from certain land acquisition requirements; altering a certain definition to include certain land acquisitions by the Department; exempting certain property transfers from certain appraisal requirements; authorizing the Department to submit certain property appraisals to the Board of Public Works; and generally relating to land acquisition and planning functions performed by the Department of Natural Resources.

BY adding to

Article – Natural Resources  
Section 1–109  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 5–903(e), 5–904(d), 5–906(b), and 5–1222  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 5–906(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 4–412, 5–7B–01(c)(1), 10–304, and 10–305(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 10–305(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1026 – Delegate Krebs**

AN ACT concerning

**State Finance and Procurement – Prevailing Wage Rates – Oversight**

FOR the purpose of changing the name of the “Advisory Council on Prevailing Wage Rates” to be the “Advisory and Oversight Council on Prevailing Wage Rates”; requiring the Advisory and Oversight Council periodically to review, and approve or deny, prevailing wage rates determined by the Division of Labor and Industry; establishing that certain determinations of prevailing wage rates are subject to review, and approval or denial, by the Advisory and Oversight Council; requiring a certain annual report submitted by the Division to include a description of each review, and approval or denial, of prevailing wage rates performed or issued by the Advisory and Oversight Council; requiring the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to replace certain references in the Code to the “Advisory Council on Prevailing Wage Rates” with references to the “Advisory and Oversight Council on Prevailing Wage Rates” and to describe any such corrections in an editor’s note in the Code; and generally relating to oversight in the process of determining prevailing wage rates.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 2–108(a)(34)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), (c), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–203, 17–204(b), 17–208(a), 17–209(a), 17–211, and 17–212  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(54)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1027 – Delegate Ross**

AN ACT concerning

**Health – Residential Camps – Definition**

FOR the purpose of altering the definition of “residential camp” for purposes of certain provisions of law governing youth camps to increase the number of days a youth camp may operate as a residential camp; and generally relating to residential camps.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 14–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1028 – Delegate Hixson**

AN ACT concerning

**Financial Institutions – Automated Teller Machines – Video Cameras**

FOR the purpose of requiring each operator of a certain automated teller machine to install and maintain a video camera that views and records certain activity of a user of the automated teller machine; requiring the operator to preserve the recordings made by the video camera for at least a certain number of days; providing that a video camera need not record banking transactions made at an automated teller machine; providing that an operator of a certain automated teller machine is not in violation of certain provisions of this Act under certain circumstances; providing that certain provisions of this Act do not apply to certain automated teller machines under certain circumstances; providing that this Act applies only to automated teller machines first installed on or after a certain date; and generally relating to automated teller machines.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 1–401(a) and (j)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Financial Institutions

Section 1–402.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1029 – Delegate Conaway**

AN ACT concerning

**Motor Vehicle Liability Insurance – Information from Applicant**

FOR the purpose of prohibiting an insurer or insurance producer from asking an applicant for private passenger motor vehicle liability insurance about certain information that is not directly related to certain criteria; providing for the application of this Act; providing for a delayed effective date; and generally relating to private passenger motor vehicle liability insurance.

BY adding to

Article – Insurance  
Section 19–504.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1030 – Cecil County Delegation**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Licensed Establishments – Sunday Sales Hours**

FOR the purpose of altering the hours during which certain licensees in Cecil County may sell certain alcoholic beverages on Sunday; exempting certain holders of certain classes of beer, wine and liquor licenses from certain restrictions on hours of sale and from paying a certain license fee under certain circumstances; authorizing certain licensees to conduct certain sales of certain alcoholic beverages between certain hours on certain days; authorizing certain licensees to permit the use and consumption of alcoholic beverages between certain hours on certain days; making stylistic changes; and generally relating to the hours of operation for certain licensed establishments in Cecil County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 11–403(b)(1) and (2)(vii) and 11–508  
Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–403(b)(2)(i) and (ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1031 – Delegates Healey, Frush, and Holmes**

AN ACT concerning

**Local Government Employee Political Activity Protection Act**

FOR the purpose of prohibiting certain local governmental entities from taking, or threatening to take, certain disciplinary actions against an employee for expressing any political opinion, participating in any political activity, or refraining from providing any political service; authorizing an employee to bring and maintain a civil action against a local entity for damages, injunctive relief, or other civil relief for certain acts of unlawful discipline or threatened discipline in violation of this Act; establishing where and when an action under this Act may be commenced; authorizing an award of attorney's fees and costs to an employee that prevails in a civil action under this Act; defining a certain term; and generally relating to local government employees and political activity.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 13–101 and 13–103  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 13–102 and 13–104 through 13–106  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1032 – Delegate McDonough**

AN ACT concerning

**Interstate Compact on Natural–Born United States Citizens**

FOR the purpose of entering into the Interstate Compact on Natural–Born United States Citizens; requiring that the State of Maryland make a distinction on certain birth records between individuals born subject to the jurisdiction of the United States and individuals who are not born subject to the jurisdiction of the United States; designating certain individuals as natural–born United States citizens; making this Act subject to a certain contingency; defining a certain term; and generally relating to the Interstate Compact on Natural–Born United States Citizens.

BY adding to

Article – State Government

Section 14–106

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1033 – Delegates Oaks and McIntosh**

AN ACT concerning

**Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing**

FOR the purpose of altering the requirements for the owner of a certain affected property to initially satisfy a certain lead–risk reduction standard; altering the performance components required under a certain modified risk reduction standard; altering the information that the owner of a certain affected property is required to submit to verify satisfaction of a certain modified risk reduction standard; repealing certain requirements relating to a tenant’s failure or refusal to verify the statement of work performed on a certain affected property; repealing an alternative to satisfying a certain modified risk reduction standard; altering certain provisions relating to a certain rebuttable presumption related to verification of a certain modified risk reduction standard; repealing certain requirements for a certain statement relating to work performed on an affected property; 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), (f), and (k)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,



Article – Environment  
Section 6–819(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing

Article – Environment  
Section 6–819(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1034 – Delegates Carr, Hucker, Anderson, Barnes, Bobo, Burns, Cardin, Cullison, Dumais, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hixson, Hubbard, Ivey, Kaiser, A. Kelly, Lafferty, Lee, Luedtke, A. Miller, Mizeur, Morhaim, Murphy, Niemann, Pena–Melnik, Reznik, B. Robinson, S. Robinson, Ross, V. Turner, Valderrama, Washington, Wilson, and Zucker**

AN ACT concerning

### **Clean the Streams and Beautify the Bay Act of 2011**

FOR the purpose of prohibiting a store from providing disposable carryout bags unless the bags meet certain requirements; requiring a store to charge and collect a certain fee for each disposable carryout bag the store provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; prohibiting a store from advertising or stating certain information under certain circumstances; requiring a store to include certain information on certain receipts; 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 Comptroller; requiring the Comptroller to retain a certain amount of money for a certain purpose; requiring the Comptroller to distribute certain amounts of money to the Department of Labor, Licensing, and Regulation and the Chesapeake Bay Trust; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; altering the list of allowable grants that may be made by the Chesapeake Bay Trust; requiring the Comptroller to distribute a certain amount of money to the Department of Human Resources on or before a certain date for a certain purpose; requiring the Department of Human Resources to conduct a certain public outreach campaign in accordance with certain requirements; providing for a delayed effective date; defining certain terms; and generally relating to carryout bags and the restoration of the Chesapeake Bay.

BY adding to

Article – Business Regulation  
Section 19–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 1–704  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters and the Committee on Economic Matters.

**House Bill 1035 – Delegates Carter, Anderson, Barkley, Barve, Bobo, Carr, Clagett, Conaway, Frush, Gutierrez, Guzzone, Haynes, Hixson, Howard, Hubbard, Hucker, Kaiser, Lee, Luedtke, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, B. Robinson, S. Robinson, Rosenberg, Ross, Stukes, F. Turner, V. Turner, and Washington**

AN ACT concerning

### **Maryland Health Security Act of 2011**

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 co–insurance, 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 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 Board and the terms, duties, and powers of the members of the 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

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1036 – Delegate Arora**

AN ACT concerning

**Juvenile Law – Victims’ Rights – Notice of Offender’s Home, School, and Workplace**

FOR the purpose of authorizing the court or juvenile intake officer to include, as a condition of release for a child alleged to have committed a delinquent act against a victim pending an adjudicatory or disposition hearing, a certain requirement of no contact with the victim at the victim's school; authorizing the Department of Juvenile Services, under certain conditions, to disclose certain information regarding the address, school, and place of employment of a child adjudicated delinquent of a certain offense to the victim of the delinquent act or the victim's representative; and generally relating to victims' rights.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–15(j) and 3–8A–27  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1037 – Delegate Dumais**

AN ACT concerning

#### **Family Law – Grandparent Visitation**

FOR the purpose of altering the circumstances under which an equity court may grant visitation rights to a grandparent of a child; and generally relating to visitation.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 9–102  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1038 – Delegates Olszewski and Kach**

AN ACT concerning

#### **Commercial Law – Residential Mortgage Loans – Escrow Amounts**

FOR the purpose of prohibiting certain lenders and lending institutions from including certain increases in the amount of certain escrow payments in calculating the amount of interest or any fee due under certain residential mortgage loans under certain circumstances; providing for the construction of certain provisions of this Act; and generally relating to residential mortgage loans and escrow amounts.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–109 and 12–109.2(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–109.1 and 12–1026  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1039 – The Speaker (By Request – Administration)**

AN ACT concerning

#### **Horse Racing – Distribution of Video Lottery Revenues**

FOR the purpose of altering certain distributions from the Purse Dedication Account for certain racing licensees; authorizing the use of certain revenues from the Purse Dedication Account for certain operating expenses at certain racetracks; permitting certain racing licensees to apply to the Secretary of Labor, Licensing, and Regulation for certain grants from the Purse Dedication Account for certain purposes; authorizing a certain racing licensee to apply to the Secretary for a certain advance from the Maryland Economic Development Corporation; providing for the repayment of a certain advance from the Maryland Economic Development Corporation to a certain racing licensee; requiring certain racing licensees to provide certain information to the Secretary under certain circumstances; authorizing the Secretary to approve certain grants and a certain advance from the Purse Dedication Account to certain racing licensees for certain expenses; placing certain conditions on the receipt of certain grants from the Purse Dedication Account and a certain advance from the Maryland Economic Development Corporation; permitting the use of certain revenues from the Racetrack Facility Renewal Account for certain operating expenses at certain racetracks; altering the distribution of certain funds from the Racetrack Facility Renewal Account for certain fiscal years; authorizing certain racing licensees to apply to the Secretary for certain grants from the Racetrack Facility Renewal Account for certain purposes; authorizing the Secretary to approve certain grants from the Racetrack Facility Renewal Account to certain racing licensees for certain expenses; requiring certain racing licensees to provide certain information to the Secretary under certain circumstances; placing certain conditions on the receipt of certain grants from the Racetrack Facility Renewal Account; and generally relating to horse racing, the distribution of video lottery revenues, the Purse Dedication Account, and the Racetrack Facility Renewal Account.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–01(a) and (w)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 9–1A–01(x)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–01(x) through (dd), 9–1A–09, 9–1A–28, and 9–1A–29  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1040 – Delegates Dwyer, Afzali, Aumann, Bates, Cluster, Hershey, Hough, Impallaria, Kach, McDermott, W. Miller, Myers, Norman, O'Donnell, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Szeliga, 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 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 1041 – Delegates Vaughn, Arora, Barkley, Barnes, Braveboy, Dumais, Frick, Frush, Gaines, Gilchrist, Gutierrez, Hucker, Jameson, Kach, Kaiser, Kramer, Lee, Love, Minnick, Mitchell, Mizeur, Niemann, Reznik, Stukes, Tarrant, Waldstreicher, and Washington**

AN ACT concerning

**Business Regulation – Definition of Home Builder**

FOR the purpose of altering the definition of “home builder” to include a person who enters into a contract with a consumer under which the person agrees to provide the consumer with a new home; excluding from the definition of “home builder” a real estate developer who does not enter into contracts with consumers to provide or construct homes; excluding from the definition of “home builder” a buyer’s agent representing a prospective buyer in the purchase of a new home; and generally relating to the definition of home builder for the purpose of home builder registration.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 4.5–101(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1042 – Delegates Beitzel and McDonough**

AN ACT concerning

**Hunting and Recreational Fishing Licenses – Issuance by Agent – Service Charge**

FOR the purpose of authorizing an agent who issues angler’s licenses, Chesapeake Bay and coastal sport fishing licenses, or hunting licenses to add a certain service charge for each license issued by the agent through a credit card transaction; and generally relating to the issuance of hunting and recreational fishing licenses.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–604(g) and 4–745(b)(1) and (3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources

Section 4–611 and 4–745(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10–301(h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–302  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1043 – Delegate Hucker**

AN ACT concerning

#### **Regulated Firearms – Applications for Dealer’s License – Record Keeping and Reporting Requirements**

FOR the purpose of requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State–regulated firearms dealer’s license if the Secretary or designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary or designee suspend a dealer’s license if the licensee is not in compliance with certain record keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer’s business; requiring the Secretary or designee to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain way after receipt from the Secretary or designee for certain information; authorizing the Secretary or designee to implement a system by which a certain person may request certain information; requiring the Secretary or designee to inspect the inventory and records of a licensed dealer under certain circumstances; authorizing the Secretary or designee to conduct a certain inspection during a certain time; providing certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer’s license.



BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (s)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–110(a), 5–114(a), and 5–115  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

BY adding to  
Article – Public Safety  
Section 5–144  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

#### **House Bill 1044 – Delegate Hucker**

AN ACT concerning

#### **Electricity – Electric Vehicle Charging Program**

FOR the purpose of requiring the Public Service Commission to establish by a certain date a demand response program for charging electric vehicles; requiring each electric company to participate in the charging program; requiring each electric company to include the charging program in a certain service; authorizing a competitive electricity supplier to participate in a charging program; requiring an electric company to provide certain data to a certain electricity supplier, subject to certain conditions; requiring the charging program to include certain incentives; authorizing the charging program to include certain incentives; requiring the Commission to submit a certain annual report to the Governor and the General Assembly; and generally relating to a demand response charging program for electric vehicles.

BY adding to  
Article – Public Utilities  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

#### **House Bill 1045 – Delegate Hucker**

AN ACT concerning

**Civil Rights Tax Relief Act**

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1046 – Delegates Braveboy, Davis, and Griffith**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Berkshire Neighborhood  
Park Renovation**

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 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 1047 – Delegate Glenn**

AN ACT concerning

**Rental Housing – Tenant Victim of Domestic Violence or Sexual Assault –  
Lease Payment Obligation**

FOR the purpose of altering the liability under a residential lease if a tenant victim of domestic violence or sexual assault terminates the lease and vacates the premises; authorizing the tenant victim to terminate future liability under the lease except for a certain period of time after providing notice of an intent to vacate; establishing that this Act does not terminate or in any way impact the liability under the residential lease for the tenant who is the respondent in a certain cause of action resulting in a protective order or peace order for the victim tenant or victim legal occupant; making a clarifying change; and generally relating to the lease payment obligation of a tenant victim of domestic violence or sexual assault.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–5A–02, 8–5A–03, and 8–5A–04  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1048 – Delegate Hucker**

AN ACT concerning

**Personal Property Tax – Financial Institutions – Repeal of Tax Exemptions**

FOR the purpose of repealing certain property tax exemptions for certain personal property owned by certain financial institutions; providing for the application of this Act; and generally relating to the repeal of certain property tax exemptions for certain personal property owned by certain financial institutions.

BY repealing  
Article – Tax – Property  
Section 7–221 and 7–221.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1049 – Delegates Vaughn, Braveboy, Haddaway–Riccio, W. Miller,  
Minnick, and Schulz**

AN ACT concerning

**Real Estate Brokers – Intracompany Agents**

FOR the purpose of authorizing a designee of a real estate broker to designate two members of a team as intracompany agents for the seller and the buyer in the same transaction under certain circumstances; prohibiting the broker's designee from being a member of the real estate team under certain circumstances; and generally relating to intracompany agents providing real estate brokerage services.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–546  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1050 – Delegates Beidle, Barnes, Braveboy, Clagett, Frush, Hogan, Holmes, Norman, O'Donnell, and Otto**

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 a municipality to be tolled for a certain period; requiring a certain person who was issued a certain permit by the State, a county, or a municipality that will expire during a certain time period to pay any applicable renewal or permit extension fees; authorizing the State, a county, or a municipality to cancel a certain permit under certain circumstances; making certain conforming changes; defining certain terms; providing for the application and construction of this Act; 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  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 11–201 to be under the new subtitle “Subtitle 2. Permit Extensions”  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 23–101 to be under the new title “Title 23. Construction and  
Development Permits”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1051 – Delegates Carter, Braveboy, Gutierrez, Niemann, Oaks, and  
Washington**

AN ACT concerning

**Freestanding Pain Management Clinics – Regulation**

FOR the purpose of prohibiting a freestanding pain management clinic from operating in the State on or after a certain date unless the Secretary of Health and Mental Hygiene has issued a license to the clinic; requiring the Secretary to issue a license to a freestanding pain management clinic if certain requirements are met; providing that a license is not transferable; requiring the Secretary to adopt certain regulations; establishing certain qualifications for a license to operate a freestanding pain management clinic; establishing certain requirements for owners and operators of a freestanding pain management clinic; specifying a process for applying for and renewing a license; authorizing the Secretary to investigate certain complaints; requiring that complaints concerning certain health care practitioners be referred to certain health occupation boards; authorizing the Secretary to deny, suspend, restrict, or revoke licenses under certain circumstances; establishing certain penalties for a violation of this Act or a regulation adopted under this Act; providing for the application of this Act; defining certain terms; and generally relating to the regulation of freestanding pain management clinics.

BY adding to

Article – Health – General

Section 19–2401 through 19–2410 to be under the new subtitle “Subtitle 24.  
Freestanding Pain Management Clinics”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government  
Operations.

**House Bill 1052 – Delegates Carter, Cluster, K. Kelly, McComas, McDermott,  
Niemann, Oaks, and Washington**

AN ACT concerning

**Family Law – Child Custody – Visitation Rights of Noncustodial Parents**

FOR the purpose of requiring the court, in a child custody proceeding between the parents of a child, to make arrangements for visitation with the child in a certain manner under certain circumstances; and generally relating to child custody and visitation.

BY adding to

Article – Family Law

Section 9–109

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1053 – The Speaker (By Request – Administration)**

AN ACT concerning

**Natural Resources – Aquaculture**

FOR the purpose of altering the State agency that is responsible for the employment of the State's Aquaculture Coordinator; clarifying certain roles of certain agencies in the development of an aquaculture industry in the State; altering the membership of the Aquaculture Review Board; authorizing the Department of Natural Resources to issue water column leases under certain circumstances; exempting aquaculture activities in certain leases from a certain wetlands license requirement; authorizing the Department of Natural Resources to issue water column leases only in waters that have been classified in a certain way by the Department of the Environment; prohibiting water column leases in certain areas; limiting the manner in which shellfish may be cultivated from a water column lease; requiring the Department of Natural Resources to notify certain persons of lease applications under certain circumstances; defining certain terms; altering certain definitions; making technical corrections; and generally relating to aquaculture in the State.

BY renumbering

Article – Natural Resources

Section 4–11A–08 through 4–11A–19, respectively

to be Section 4–11A–09 through 4–11A–20, respectively

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 10–1301 and 10–1302  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 16–107 and 16–202(h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 16–202(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1103(d), 4–11A–01(m), 4–11A–02(a), 4–11A–06(b), and 4–11A–07(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–11A–01(d), (g), (n), and (q)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Natural Resources  
Section 4–11A–01(r) and 4–11A–08  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–11A–09 and 4–11A–10(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)  
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1054 – The Speaker (By Request – Administration) and Delegates  
Hucker, Barve, Braveboy, Feldman, Burns, Anderson, Barnes, Beidle,  
Bobo, Bromwell, Cardin, Clippinger, Conway, Frick, Frush, Gilchrist,**

**Glenn, Hubbard, Lafferty, Lee, Luedtke, McIntosh, Mizeur, Morhaim, Nathan–Pulliam, Niemann, Reznik, S. Robinson, Stein, Tarrant, F. Turner, Vaughn, Waldstreicher, and Washington**

AN ACT concerning

**Maryland Offshore Wind Energy Act**

FOR the purpose of requiring the Public Service Commission to order certain electric companies to enter into certain long–term power purchasing agreements with certain qualifying offshore wind generators under certain circumstances; providing that the Commission is responsible for approving certain contracts under certain circumstances; authorizing the Commission to utilize certain consultants and experts; requiring the Commission to develop a process to issue a certain request for proposals and receive responses by certain dates; requiring the Commission to evaluate, select, and approve certain proposals using certain criteria by a certain date; prohibiting the Commission from approving certain proposals under certain circumstances; requiring the Commission to order certain electric companies to file certain contracts for the Commission’s approval based on certain requirements by a certain date; requiring certain electric companies to sell certain energy–related products into certain markets; requiring that certain renewable energy credits or environmental attributes from a certain contract shall be first offered to certain electricity suppliers or electric companies for certain purposes; authorizing the Commission to designate a certain contract administrator for certain purposes; requiring the Commission to establish a certain nonbypassable charge or other mechanism to ensure that certain costs or savings related to the purchase of certain energy and products are shared among electric customers and distribution territories in a certain manner; requiring a certain charge or mechanism to allow for the recovery of certain costs of certain electric companies from certain obligations; limiting the application of a certain charge or mechanism under certain circumstances; exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; clarifying that a certain certificate of public convenience is not required for the construction of a qualified offshore wind generator except for certain purposes; requiring a certificate of public convenience for certain energy lines before an electric company or a person may begin constructing, installing, or exercising a right of condemnation; requiring the Public Service Commission to conduct certain proceedings and consider certain factors in deciding on a certificate for certain energy lines; requiring the Commission to provide certain notice to the Maryland Energy Administration for certain purposes; authorizing the Commission to implement a special assessment not to exceed a certain amount in certain fiscal years for certain purposes; defining certain terms; making certain clarifying changes; making the provisions of this Act severable; and generally relating to the development, procurement, and transmission of offshore wind energy.



BY adding to

Article – Public Utilities  
Section 7–801 through 7–803 to be under the new subtitle “Subtitle 8. Offshore  
Wind Generation”  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 8–1102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–207 and 7–208  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1055 – Prince George’s County Delegation**

AN ACT concerning

### **Prince George’s County – Wireless Telecommunications Towers – Prohibition on Public School Property**

**PG 404–11**

FOR the purpose of prohibiting the siting of wireless telecommunications towers on certain public school property in Prince George’s County; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to wireless telecommunications towers and the use of public school property in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Education  
Section 4–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1056 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Port Towns Green Business Zone**

**PG 418–11**

FOR the purpose of creating the Port Towns green business zone in Prince George’s County; requiring the Secretary of Business and Economic Development to designate a not-for-profit entity to establish certain job training, internship, and apprenticeship standards that a green business must meet to receive certain incentives; establishing the benefits available in the zone; requiring the Department of Business and Economic Development and the State Comptroller to assess annually the effectiveness of certain tax credits provided to certain businesses located in the zone and submit a certain report; establishing a certain credit against the State income tax for certain businesses located in the zone; establishing a certain credit against certain property taxes imposed on certain real property located in the zone; requiring a local governing body to certify to the State Department of Assessments and Taxation the real properties in the zone that qualify for a tax credit and the date of qualification; requiring that Department to submit certain information to a local governing body before tax bills are sent; requiring the State to remit funds to the county or municipal corporation to offset a certain amount of property tax revenues not collected by the county or municipal corporation because of the property tax credit; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to the Port Towns green business zone and the benefits available in the Port Towns green business zone.

BY adding to

Article – Economic Development

Section 13–1201 through 13–1205 to be under the new subtitle “Subtitle 12.  
Port Towns Green Business Zone”

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY adding to

Article – Tax – General

Section 10–702.1

Annotated Code of Maryland

(2010 Replacement Volume)

BY adding to

Article – Tax – Property

Section 9–103.1

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1057 – Delegates Ivey, Niemann, and Summers**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Joe’s Movement Emporium**

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 World Arts Focus, 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 1058 – Delegates Braveboy and Harrison**

AN ACT concerning

**Transportation – Required Security – Rental Vehicles**

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; and generally relating to proof of insurance for the registration of certain rental vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 17–103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 17–104 and 18–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1059 – Delegates Kaiser, Feldman, Healey, and Hucker**

AN ACT concerning

**Motor Fuel Tax – Rate Increase and Distribution of Revenues**

FOR the purpose of altering the motor fuel tax rates for certain motor fuels; providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods; requiring that certain revenues from certain motor fuel tax rates be distributed to the General Fund for certain fiscal years; providing for the payment of certain motor fuel taxes on certain tax–paid motor fuel as of certain dates; and generally relating to the motor fuel tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1103 and 9–305  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1060 – Delegates Walker and George**

AN ACT concerning

**Campaign Finance Entities – Loans – Reporting Requirement and Penalties**

FOR the purpose of requiring a campaign finance entity that receives a loan under a certain provision of law to report the receipt of the loan to the State Board of Elections within a certain time period; requiring the State Board to post information concerning the loan on the State Board Web site within a certain time period; specifying that certain penalties assessed for a certain violation of campaign contribution limits may be assessed against a lender, the candidate whose campaign finance entity received the loan, or both; specifying that any statute of limitations associated with the assessment of certain penalties begins on expiration of the repayment deadline for a certain loan; providing for a delayed effective date; and generally relating to loans received by campaign finance entities.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–230  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 13–604.1  
Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1061 – Delegates Kramer, Simmons, Arora, Barkley, Bates, Carr, Cullison, Dumais, Feldman, Gilchrist, Gutierrez, Howard, Hucker, A. Kelly, Luedtke, A. Miller, Reznik, S. Robinson, Summers, Valderrama, and Vaughn**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**State Retirement and Pension System – Local Educators and Librarians –  
Local Employer Contributions**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting the State from requiring any political subdivision of the State to pay certain employer contributions on behalf of certain members of the Teachers' Retirement System or Teachers' Pension System; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 59

Read the first time and referred to the Committee on Appropriations.

**House Bill 1062 – Delegates Niemann, Carter, and Glenn**

AN ACT concerning

**Public Schools – Meal Menus – Nutrition Information**

FOR the purpose of requiring each public school, beginning in a certain school year, to list the number of calories contained in a menu item next to the menu item on a certain menu published by the school; and generally relating to public schools and meal menu nutrition information.

BY adding to  
Article – Education  
Section 7–432  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1063 – Delegate Donoghue**

AN ACT concerning

**Health Insurance – Health Care Providers – Payment of Claims for Reimbursement by Carriers**

FOR the purpose of altering the scope of certain provisions of law governing the prompt payment of provider claims for reimbursement, the retroactive denial of health care provider claims for reimbursement, and the denial of reimbursement for preauthorized or approved health care services delivered by health care providers, by expanding the carriers and providers of health care services that are subject to the provisions of law; defining certain terms; altering certain definitions; making certain conforming and stylistic changes; and generally relating to payment of health care provider claims for reimbursement by carriers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1005, 15–1008, and 15–1009

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1064 – Delegates Hucker, Bobo, Carr, Feldman, Frush, Gilchrist, Glenn, Holmes, Niemann, Reznik, and S. Robinson**

AN ACT concerning

**Watershed Protection and Restoration Act**

FOR the purpose of requiring each county and municipality to adopt certain laws or ordinances to establish a stormwater remediation fee and a local watershed protection and restoration fund on or before a certain date; requiring each county and municipality to maintain and administer a local watershed protection and restoration fund in accordance with this Act; establishing the purpose of a local watershed protection and restoration fund; requiring each county and municipality to collect a stormwater remediation fee in accordance with this Act; requiring each county and municipality to set the amount of a residential stormwater remediation fee in a certain manner; requiring each county and municipality to set the amount of a nonresidential stormwater remediation fee in a certain manner; prohibiting each county and municipality from assessing a stormwater remediation fee on certain property owners and on certain State-owned property; requiring each county and municipality to report annually certain information to the Department of the Environment in a certain

manner beginning on a certain date; requiring the Department to report certain information to the BayStat Subcabinet in a certain manner; authorizing the Department to adopt certain regulations; defining a certain term; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1065 – 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 not to exceed \$300,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1066 – Delegates Gutierrez and Feldman**

AN ACT concerning

#### **Maryland State Bank Commission – Study and Report**

FOR the purpose of establishing the Maryland State Bank Commission to review and evaluate the creation of a Maryland State Bank; 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 a final report by a certain date; providing for the termination of this Act; and generally relating to the creation of a Maryland State Bank Commission.

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1067 – Delegates Ivey, Afzali, Glass, Murphy, Rosenberg, Ross, and Walker**

AN ACT concerning

**Education – Public Charter Schools – Appeals, Policies, and Regulations**

FOR the purpose of requiring an appeal of a decision by a county board of education to deny an application for a public charter school to be heard de novo by the State Board of Education; requiring each county board to develop a charter school policy that is consistent with certain regulations and includes certain specific criteria; requiring the charter school policy to be reviewed and approved by the State Board and to be available on the State Board's Web site; requiring a county board to review a public charter school application in accordance with the charter school policy; requiring the State Board to adopt certain regulations that establish certain criteria, guidelines, and procedures regarding public charter schools; and generally relating to appeals, policies, and regulations for public charter schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–205(c)(3), 9–104, and 9–110  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1068 – Delegates Ivey, Barkley, Barve, Boteler, Braveboy, Cardin, Carr, Carter, Frick, Glass, Gutierrez, Haynes, Healey, Hixson, Holmes, Impallaria, A. Kelly, Kramer, Luedtke, A. Miller, Pena–Melnyk, S. Robinson, Ross, Simmons, Stukes, Summers, F. Turner, V. Turner, Valderrama, and Walker**

AN ACT concerning

**Maryland Afterschool and Summer Learning Activity Program – Income Tax Checkoff**

FOR the purpose of establishing the Maryland Afterschool and Summer Learning Activity Program to provide grants to certain organizations that serve certain public school youth; requiring the Governor's Office for Children to administer the Program; requiring that to be eligible for a grant from the Program the organization must adopt certain standards, serve the youth at least a certain number of hours, offer certain high quality activities, and provide certain transportation; requiring an organization that receives a grant from the Program to prepare a certain report; establishing the Maryland Afterschool and Summer Learning Activity Fund to provide funds for the Program; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; establishing a certain income tax checkoff



system for voluntary contributions to the Fund; requiring the Comptroller to include a checkoff on the individual income tax return; requiring that the income tax checkoff system include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing for the application of this Act; and generally relating to the Maryland Afterschool and Summer Learning Activity Program and an income tax checkoff system for contributions to provide funds for the Program.

BY adding to

Article – State Government

Section 9–2901 and 9–2902 to be under the new subtitle “Subtitle 29. Maryland Afterschool and Summer Learning Activity Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Tax – General

Section 2–114 and 10–804(j)

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1069 – Delegates Ready, Clippinger, Eckardt, Frank, Hogan, Holmes, Hough, Kach, Krebs, McComas, McDermott, Mitchell, Myers, Schulz, Stocksdale, V. Turner, and Wilson**

AN ACT concerning

**Drunk or Drugged Driving – Subsequent Offenders – Notation on Driver’s License**

FOR the purpose of requiring the Motor Vehicle Administration to cancel the driver’s license of a licensee convicted of certain drunk or drugged driving violations if the licensee was previously convicted of a certain drunk or drugged driving violation; authorizing an individual whose driver’s license has been canceled under certain circumstances to apply for a new driver’s license; authorizing a certain application for a new driver’s license to be made after a certain time; requiring the Administration to issue a new driver’s license under certain circumstances; requiring certain licenses issued under this Act to contain a certain notation; providing that a certain license may be issued only after the expiration of certain periods of suspension or revocation; providing that the issuance of a certain driver’s license does not affect any period of suspension or revocation or any license restriction imposed on a certain licensee; requiring a

certain fee; providing that a merchant or an agent or employee of a merchant may not be held civilly liable for the refusal to sell or distribute an alcoholic beverage to a certain individual; providing for the application of this Act; and generally relating to individuals convicted of subsequent drunk or drugged driving offenses.

BY adding to

Article – Transportation  
Section 16–113.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 16–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–902  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1070 – Delegates Ivey, Barnes, Carter, Glenn, Howard, Hucker, Niemann, Oaks, Ross, V. Turner, Valderrama, and Vaughn**

AN ACT concerning

**Income Tax – Millionaires Tax – Sunset Repeal**

FOR the purpose of removing a certain limitation on the applicability of a certain income tax rate on certain income of an individual in excess of a certain amount; providing for the application of this Act; and generally relating to the State individual income tax.

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–105(a)(3)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1071 – Delegates Vaughn and Morhaim**

## EMERGENCY BILL

AN ACT concerning

**Insurance – Certificate of Authority – Exemption**

FOR the purpose of exempting an insurer that engages in transactions that relate to individual sureties lawfully written under certain provisions of State procurement law or lawfully written for any private work in the State from the requirement to have a certificate of authority issued by the Maryland Insurance Commissioner; making this Act an emergency measure; and generally relating to certificates of authority under insurance law.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 4–101  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1072 – Delegates Conaway, Alston, Anderson, Arora, Branch, Carter, Clagett, Clippinger, Dumais, Frush, Glass, Glenn, Jameson, K. Kelly, Lee, McComas, Mitchell, Norman, Oaks, B. Robinson, Rosenberg, Simmons, Stukes, Summers, Tarrant, Valderrama, Valentino–Smith, Vallario, and Washington**

AN ACT concerning

**Criminal Law – Salvia Divinorum – Regulations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt and enforce certain regulations regarding the sale of Salvia divinorum; specifying certain required contents of the regulations to be adopted; and generally relating to Salvia divinorum.

BY adding to  
Article – Criminal Law  
Section 10–134  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1073 – Delegates Boteler, Afzali, Cluster, DeBoy, Dwyer, Fisher, Frank, George, Glass, Hershey, Howard, Impallaria, Kach, Krebs,**

**McComas, McConkey, McDonough, A. Miller, Mitchell, Myers, Norman, Olszewski, Reznik, Schulz, Serafini, Smigiel, Stocksedale, Stukes, V. Turner, Weir, Wilson, and Wood**

AN ACT concerning

**State Lottery Agency – Veterans Lottery – Established**

FOR the purpose of requiring the State Lottery Agency to conduct a certain number of lotteries for the benefit of the Maryland Veterans Trust Fund; requiring the Agency to deposit into the Fund the proceeds, after certain expenses of the veterans lotteries; requiring the Agency to meet certain advertising criteria in conducting the veterans lotteries; and generally relating to lotteries conducted by the State Lottery Agency.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–120 and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Government  
Section 9–120.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1074 – Delegates Rosenberg and Healey**

AN ACT concerning

**Correctional Services – Participation in an Execution – Exclusions**

FOR the purpose of providing that the requirements relating to who must participate in the administration of an execution may not be interpreted to require the attendance or participation of certain persons with certain moral or religious beliefs; and generally relating to the exclusion from participation in an execution by certain persons.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–906  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1075 – Delegates Rosenberg, Alston, Anderson, Aumann, Barnes, Bobo, Branch, Braveboy, Burns, Cane, Carr, Carter, Cullison, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hixson, Howard, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Love, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Pendergrass, Proctor, Reznik, B. Robinson, S. Robinson, Ross, Simmons, Stukes, Summers, Tarrant, V. Turner, Valderrama, Valentino–Smith, Vaughn, Washington, and Zucker**

AN ACT concerning

### **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 for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing

Article – Correctional Services

Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; and 8–108 and 11–404

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 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 2010 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 and 2010 Supplement)

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 2010 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 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 8–505(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–812(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1076 – Montgomery County Delegation and Prince George’s  
County Delegation**

AN ACT concerning

**Prince George’s County – Development and Ethics Reform Act of 2011**

## MC/PG 117-11

FOR the purpose of specifying that the ethics provisions required to be enacted by Prince George's County shall contain certain provisions; prohibiting a lobbyist who is regulated under the ethics provisions of Prince George's County from engaging in lobbying activities for contingent compensation; prohibiting the Prince George's County government from issuing a credit card to an elected county official; prohibiting an elected county official from soliciting certain persons to enter into a business relationship with, or to provide anything of value to, certain other persons; requiring that the Prince George's County Board of Ethics be composed of a certain number of members and have an executive director; requiring the county to provide for an ethics advisor who shall perform certain duties; establishing a Board of Planning and Zoning Appeals in the county; providing for the membership, appointment, terms, and responsibilities of the Board of Planning and Zoning Appeals; transferring certain powers and responsibilities of the County Council of Prince George's County, sitting as a district council, to the Board of Planning and Zoning Appeals; authorizing the Board of Planning and Zoning Appeals to make certain decisions on certain zoning map amendment and special exception applications; requiring a certain vote for the approval of certain zoning map amendments and certain special exceptions; authorizing the Board of Planning and Zoning Appeals to consider and adopt certain requirements, safeguards, and conditions in approving certain zoning map amendments; prohibiting the Board of Planning and Zoning Appeals from imposing certain requirements, safeguards, or conditions; authorizing appeal and judicial review of certain decisions; providing for the construction of this Act; and generally relating to development and ethics reform in Prince George's County.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15-807(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15-808  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8-103.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–104, 8–106, 8–109(a), 8–110, 8–110.1, 8–110.2, 8–111(b)(2), 8–121,  
8–122, 8–122.1(a), and 8–124  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1077 – Delegates Holmes, Braveboy, Clagett, Niemann, and O'Donnell**

AN ACT concerning

**Real Estate Appraisers – Annual Roster – Requirements and Publication**

FOR the purpose of requiring the State Commission of Real Estate Appraisers and Home Inspectors to include in a certain roster information about certain areas of expertise practiced by licensed or certified real estate appraisers; repealing a provision of law requiring the Commission to make a certain roster available to the public on request and for a certain fee; requiring the Commission to make a certain roster available to the public by publication on the Commission's Web site; and generally relating to the requirements and publication of the annual roster of real estate appraisers.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 16–213  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1078 – Delegates Rosenberg and Smigiel**

AN ACT concerning

**State Government – Expressive Activity on State Property – Regulations**

FOR the purpose of requiring, on or before a certain date, a department or independent unit that owns or manages outdoor property to adopt certain regulations that ensure that an individual is able to engage in expressive activity on the property; defining certain terms; and generally relating to regulations regarding expressive activity on State property.

BY adding to  
Article – State Government  
Section 8–505



Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1079 – Delegates Huckler, Anderson, Arora, Beidle, Bobo, Busch, Carr, Clagett, Cullison, Dumais, Elliott, Feldman, Frick, Frush, George, Gilchrist, Gutierrez, Haddaway–Riccio, Holmes, Hubbard, Kach, Kaiser, A. Kelly, Kipke, Kramer, Krebs, Lafferty, Lee, Luedtke, McIntosh, A. Miller, Murphy, Myers, Pena–Melnyk, Pendergrass, Proctor, Reznik, S. Robinson, Rosenberg, Serafini, Simmons, Smigiel, Tarrant, F. Turner, V. Turner, and Zucker**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s Permit**

FOR the purpose of repealing provisions that provide for a direct wine seller’s permit and establishing a new direct wine shipper’s license to be issued by the Office of the Comptroller to certain persons in or outside 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 complete delivery of and to receive a direct shipment of wine; requiring a common carrier to take certain actions and prohibiting a common carrier from taking certain actions; 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; requiring the Comptroller to submit a certain report to the General Assembly on or before a certain date; requiring that the report include certain information; making the provisions of this Act severable; 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 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i), 9–102(a), and 15–204(b)

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(y); and 7.5–101 through 7.5–114 to be under the new title “Title  
7.5. Direct Wine Shipper’s Permit”

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 5–101(a)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–101(f), 5–201(d), and 13–825(b)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Tax – General

Section 13–825(i)

Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1080 – Delegates Carr, Braveboy, Gutierrez, Kramer, B. Robinson,  
and Stocksdales**

AN ACT concerning

**Electricity Suppliers – Residential Supply Contracts – Consumer Protections**

FOR the purpose of prohibiting automatic renewal clauses in certain residential electricity supply contracts except under certain circumstances; providing that an early termination fee or penalty imposed under a residential supply contract must decrease in a certain manner over the contract term; prohibiting an electricity supplier from refusing to provide service to a person because the person previously canceled a residential supply contract; providing for the application of this Act; defining a certain term; and generally relating to electricity suppliers and the provision of electricity and electricity supply services to residential retail electric customers.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 1–101(j)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–507  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1081 – Delegates Bates, Aumann, Elliott, Hough, Kipke,  
McDonough, and W. Miller**

AN ACT concerning

**Education – Public Schools – Petitions for Intervention**

FOR the purpose of authorizing certain parents and legal guardians of students attending public schools that are subject to corrective action and are not making adequate yearly progress to petition county boards of education to implement certain interventions; requiring county boards to notify the State Superintendent of Schools and the State Board of Education on receipt and of final disposition of certain petitions; requiring county boards to make certain determinations in a certain manner within a certain time frame; requiring county boards to designate interventions other than the options requested by certain petitions under certain circumstances; requiring county boards to notify the State Superintendent and the State Board that certain interventions have substantial promise of enabling certain schools to make adequate yearly progress; requiring certain students to have the option of receiving a certain scholarship in a certain amount for a certain time period; requiring certain funds to be calculated in a certain manner; requiring certain counties to include certain students in their full-time equivalent enrollment; requiring the State Board to adopt certain regulations; prohibiting the expansion of certain regulatory authority regarding certain private schools; defining certain terms; and generally relating to authorizing parents of students attending public schools that are subject to corrective action to petition county boards of education for an intervention.

BY adding to  
Article – Education  
Section 9A–101 through 9A–107 to be under the new title “Title 9A. Parent  
Empowerment and Choice”  
Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1082 – Delegates Braveboy and Hucker**

AN ACT concerning

**Homeowner’s Insurance – Model Information – People’s Insurance Counsel**

FOR the purpose of requiring that the People’s Insurance Counsel Division shall have access to certain information in certain insurer filings concerning rates, issuance, and renewal of homeowner’s insurance; requiring the Division to maintain the confidentiality of certain information; and generally relating to homeowner’s insurance, risk planning models, and the People’s Insurance Counsel Division.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–211  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1083 – Delegates Carter, Alston, and Anderson**

AN ACT concerning

**Motor Vehicle Insurance – Use of Credit History in Rating Policies**

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit history of an applicant or insured in any manner; repealing certain provisions of law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance subject to certain limitations and requirements; making conforming and clarifying changes; providing for the application of this Act; and generally relating to rating policies of private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(e–2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1084 – Delegates Alston, Barnes, Beidle, Braveboy, Carter, Clippinger, Cullison, Dumais, Holmes, Howard, Mizeur, Pena–Melnyk, Ross, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and Washington**

AN ACT concerning

**Real Property – Community Improvement Organizations – Liens for Nuisance Abatement**

FOR the purpose of authorizing a certain community improvement organization to summarily abate a nuisance on vacant, unoccupied property; requiring a county, community improvement organization, or homeowners association to serve an abatement order in a certain manner before a community improvement organization may summarily abate a nuisance; authorizing a community improvement organization to summarily abate a nuisance after a certain period of time under certain circumstances; authorizing a community improvement organization to obtain a certain lien in a certain manner under certain circumstances; defining certain terms; and generally relating to liens by a community improvement organization for nuisance abatement.

BY adding to

Article – Real Property

Section 9–401 and 9–402 to be under the new subtitle “Subtitle 4. Improvements to Vacant Property”

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1085 – Delegates Pena–Melnyk, Braveboy, Frank, Frick, Frush, Hubbard, A. Kelly, Kipke, Mizeur, Nathan–Pulliam, Oaks, and V. Turner**

AN ACT concerning

**Life or Health Insurance Policies and Annuity Contracts – Discretionary Clauses – Prohibition**

FOR the purpose of prohibiting the use of certain clauses in certain life or health insurance policies or annuity contracts; providing that certain clauses in certain insurance policies or annuity contracts are void and unenforceable; defining a certain term; and generally relating to life or health insurance policies and annuity contracts.

BY adding to

Article – Health – General

Section 19–706(kkkk)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 12–211  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1086 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Police Departments – Use of Force – Reports**

##### **PG 308–11**

FOR the purpose of requiring the county police department and each municipal police department in Prince George’s County and the sheriff’s office in the county to collect, analyze, and maintain certain information about the use of force by law enforcement officers; requiring the county police department, each municipal police department, and the sheriff’s office in the county to report certain information to the Office of the State’s Attorney for Prince George’s County on or before a certain date and annually thereafter; prohibiting the identification of certain offenders in the reports; defining certain terms; and generally relating to the use of force in Prince George’s County.

BY adding to  
Article – Public Safety  
Section 3–508  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1087 – Delegates Fisher, Afzali, Bates, Boteler, Dwyer, Elliott, Frank, Frush, George, Glass, Haddaway–Riccio, Jacobs, Kach, Kipke, Krebs, McComas, McConkey, McDermott, McDonough, Murphy, Myers, Oaks, Otto, Schuh, Smigiel, Vitale, and Wood**

AN ACT concerning

#### **Personal Property Tax – Business Start–Up Exemption**

FOR the purpose of providing an exemption from personal property tax for property that is owned by certain businesses organizing or moving into the State; providing for the application of this Act; and generally relating to a personal property tax for certain businesses.

BY adding to

Article – Tax – Property

Section 7–244

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1088 – Delegate Griffith (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Audit Responsibilities – State Department of Education, Maryland Higher Education Commission, and State Retirement Agency**

FOR the purpose of requiring the county boards of education to conduct certain audits under certain circumstances; requiring certain local school systems to reimburse the State for certain employer contributions for certain employees participating in the Teachers' Retirement System or the Teachers' Pension System; providing that the State Department of Education may authorize certain county boards of education and public libraries to conduct certain audits; authorizing the State Department of Education, rather than the State Retirement Agency, to conduct certain audits of local school systems and public libraries to determine if certain employer contributions have been paid appropriately to the State Retirement and Pension System; clarifying that certain audits conducted by certain groups may be conducted in a certain manner; requiring that reimbursements for certain audits be applied to the State Department of Education, certain county boards of education, the Maryland Higher Education Commission, certain public junior or community colleges, certain public libraries, and the General Fund in a certain manner; requiring certain county boards of education and public libraries to provide certain documentation to the State Department of Education under certain circumstances; providing that the Maryland Higher Education Commission may authorize certain public junior or community colleges to conduct certain audits; authorizing the Maryland Higher Education Commission, rather than the State Retirement Agency, to conduct certain audits of public junior or community colleges to determine if certain employer contributions have been paid appropriately to the State Retirement and Pension System; requiring certain public junior or community colleges to provide certain documentation to the Maryland Higher Education Commission under certain circumstances; clarifying that the State Retirement Agency may perform certain audits of

certain participating employers; requiring that if certain audits by the State Retirement Agency reveal certain information, certain actions shall be taken and certain payments shall be made to the State Retirement and Pension System; and generally relating to performing audits of local school systems, public junior or community colleges, and public libraries for purposes of determining if employer and member contributions have been paid appropriately to the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–109, 5–203, 16–306, and 23–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–121  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1089 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Public Ethics Requirements – Limitations on  
Contributions to Slates Containing the County Executive or a Member of the  
County Council and on Participation of County Council Members in Land  
Use Applications**

**PG 411–11**

FOR the purpose of prohibiting payments to be made, under certain circumstances, to slates that include a member of the County Council for Prince George’s County or the Prince George’s County Executive during the pendency of certain applications; expanding a prohibition on a member of the County Council voting or participating in certain applications if the member received certain payments during a certain period by including payments to certain slates; repealing a provision that allows a member to participate in certain applications if a certain affidavit is not filed; providing for the prospective application of this Act; and generally relating to the expansion of public ethics requirements in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–829(a), (d), (f), (l), and (p)



Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–829(m) and 15–831  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1090 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Ethics Reforms**

##### **PG 425–11**

FOR the purpose of specifying that the ethics provisions required to be enacted by Prince George’s County shall contain certain provisions; requiring that the provisions prohibit a person from lobbying the county government for contingent compensation; requiring that the provisions prohibit the county government from issuing a credit card to certain persons; requiring that the provisions prohibit an elected county official from soliciting certain persons to enter into a business relationship with, or provide anything of value to, certain other persons; requiring that the provisions establish a board of ethics composed of a certain number of members and having an executive director; requiring the provisions to provide for an ethics advisor who shall perform certain duties; and generally relating to ethics reform in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–807(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–808  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1091 – Prince George’s County Delegation**

AN ACT concerning

**Public Health – Prince George’s County Health Council**

**PG 423–11**

FOR the purpose of establishing the Prince George’s County Health Council as an instrumentality of the State; specifying the number of members on the Council and the terms of the members; requiring the Governor, the Prince George’s County Executive, and the Prince George’s County Council to appoint the members of the Council; requiring the Governor and the County Executive jointly to designate the chair of the Council; requiring members of the Council to have a certain background; requiring that the members of the Council be appointed within a certain time period; requiring the Council to begin its work at a certain time; specifying that a member of the Council may be removed under certain circumstances and by certain individuals; specifying that a member of the Council may not receive compensation but is entitled to certain reimbursement; specifying that a majority of the members of the Council then serving constitutes a quorum; requiring the Council to meet on a certain basis; requiring Department of Health and Mental Hygiene and the Office of the Prince George’s County Executive to provide staff for the Council; requiring the Council to develop and recommend to certain persons a certain health strategy and work plan; requiring the Council to revise the strategy and work plan on a certain basis; requiring the Council, beginning on a certain date and on a certain basis thereafter, to submit the strategy and work plan to the Department, the County Executive, and the County Council; defining certain terms; and generally relating to the Prince George’s County Health Council.

BY adding to

Article – Health – General

Section 24–1601 through 24–1603 to be under the new subtitle “Subtitle 16.  
Prince George’s County Health Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**House Bill 1092 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Age for Compulsory Public School Attendance –  
Exemption**

**PG 406–11**

FOR the purpose of altering, in Prince George's County, the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; requiring certain parents or guardians of certain children to provide written consent before the children may withdraw from public school attendance; requiring certain school officials to provide a certain notification under certain circumstances; requiring certain persons with legal custody or care and control of certain children to see that the children attend school, receive instruction, or have written consent to withdraw from public school attendance; providing for certain penalties for certain persons; and generally relating to the age for compulsory public school attendance in Prince George's County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 7–301.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1093 – Prince George's County Delegation**

AN ACT concerning

#### **Prince George's County – Bladensburg – Alcoholic Beverages – Development District Licenses**

#### **PG 312–11**

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue a certain number of Class B–DD licenses in the zoned development district of the City of Bladensburg; authorizing a person to obtain one other Class B license anywhere in Prince George's County for each Class B–DD license the person is issued under certain circumstances; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(r)(15)(vii) and 9–217(f)(7)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1094 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Charitable Gaming – Poker Events**

**PG 303–11**

FOR the purpose of authorizing a certain organization that promotes the arts and preserves the culture in Prince George’s County and certain volunteer fire departments in the county to hold poker events in which the public may play poker card games; limiting the number of poker events that an organization or fire department may hold; requiring that an organization or fire department obtain a permit from the Prince George’s County Department of Environmental Resources before holding a poker event; specifying that the conditions under which a permit for a poker event is issued shall be the same with certain exceptions that apply to a charitable gaming permit under the Prince George’s County Code; and generally relating to charitable gaming in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 13–1901(a) and (c) and 13–1902(a)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–1912

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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 – Alcoholic Beverages – Development District  
Licenses**

**PG 302–11**

FOR the purpose of increasing the number of Class B–DD (Development District) licenses that the Board of License Commissioners may issue for restaurants in a certain area of Prince George’s County; authorizing a person to obtain one other Class B license anywhere in Prince George’s County for each Class B–DD license the person is issued under certain circumstances; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(r)(15)(vi) and (vii) and 9–217(f)(7)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1096 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Alcoholic Beverages – Sunday Off–Sale Permit**

##### **PG 310–11**

FOR the purpose of establishing a special Sunday off–sale permit in Prince George’s County; authorizing the Board of License Commissioners to issue the permit to certain license holders; authorizing a permit holder to sell certain alcoholic beverages during a certain time on Sunday for consumption off the premises; providing a permit fee; authorizing the Board to adopt certain regulations; clarifying the privileges of a certain on–sale permit; making certain stylistic changes; and generally relating to alcoholic beverages in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–517(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–517(b)(1) and (2)(ii) and (f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 11–517(l)

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1097 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Single Bottles of Beer or Wine – Size Prohibition**

**PG 309–11**

FOR the purpose of prohibiting certain beer licensees and beer and wine licensees in Prince George’s County from selling single bottles of beer or wine in bottles of a certain size for consumption off the premises; making a stylistic change; and generally relating to the sale of beer and wine in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 3–101(r), 3–201(r), 5–101(r), and 6–101(r)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1098 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Wine Consumption – Restaurants and Clubs**

**PG 305–11**

FOR the purpose of allowing an individual in a restaurant or club for which a certain alcoholic beverages license is issued in Prince George’s County to consume under certain circumstances wine not purchased from the restaurant or club; authorizing a license holder to charge a patron a certain fee under certain circumstances; applying the sales tax to the fee; requiring a restaurant or club patron to dispose of or remove certain wine after finishing a meal; allowing the individual to remove from the licensed premises a bottle, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an “open container” for a certain purpose; altering a certain definition; and generally relating to alcoholic beverages in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1099 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Volunteer Fire Departments – Poker Events**

##### **PG 304–11**

FOR the purpose of authorizing certain volunteer fire departments in Prince George’s County to hold poker events in which the public may play poker card games; limiting the number of poker events that a volunteer fire department may hold; requiring that a volunteer fire department obtain a permit from the Prince George’s County Department of Environmental Resources before holding a poker event; limiting the days on which poker events may be held; specifying a certain requirement that a volunteer fire department must meet to qualify for a permit; specifying that the Department may issue permits under certain circumstances; specifying the period for which a permit is valid; allowing a permit to be renewed under certain circumstances; specifying that the conditions under which a permit for a poker event is issued shall be the same with certain exceptions that apply to a charitable gaming event permit under the Prince George’s County Code; and generally relating to volunteer fire departments and poker events in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1902(a)  
Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1912  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1100 – Delegates B. Robinson, Bates, Bobo, Carter, Cullison, Eckardt, Feldman, Frank, Gutierrez, Howard, Hubbard, A. Kelly, Kipke, McIntosh, Mizeur, Nathan–Pulliam, and Washington**

AN ACT concerning

**Health Occupations – State Board of Naturopathic Medicine**

FOR the purpose of establishing the State Board of Naturopathic Medicine; specifying the composition of the Board; specifying the terms of a Board member; requiring the Governor to appoint a new member, under certain circumstances, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Board to elect a chair and any other officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to determine the times and places of its meetings; specifying that a Board member is entitled to certain compensation and reimbursement; authorizing the Board to employ a staff under certain circumstances; authorizing the Board to adopt certain regulations and appoint certain committees; specifying the duties of the Board; establishing the State Board of Naturopathic Medicine Fund; authorizing the Board to set reasonable fees under certain circumstances; requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes; specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; requiring the Legislative Auditor to audit the accounts and transactions of the Fund; specifying that a person who gives information to the Board or otherwise participates in its activities has a certain immunity from liability; requiring, beginning on a certain date, certain individuals to have a certain license before practicing naturopathic medicine in the State; prohibiting the Board from discriminating against an applicant or licensee for certain reasons; requiring an individual to meet certain requirements to qualify for a license; authorizing the Board to waive certain examination requirements under certain circumstances;



requiring an applicant to submit certain information to the Board and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; specifying that a license authorizes a licensee to order certain tests, order and perform certain examinations, and dispense, administer, order, prescribe, or perform other certain therapies, drugs, and medicines, and utilize certain routes of administration; specifying that a license does not authorize a licensee to prescribe, dispense, or administer certain substances or devices, perform certain procedures, use certain anesthetics, or take certain other actions; specifying that the Board may authorize a licensee to perform only certain procedures or prescribe certain drugs under certain circumstances; specifying the term of a license; requiring the Board to send certain information to licensees a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status under certain circumstances; requiring the Board to issue a license to a naturopathic physician who is on inactive status under certain circumstances; requiring the Board to reinstate the license of a naturopathic physician who failed to renew the license under certain circumstances; prohibiting a licensed naturopathic physician from surrendering a license under certain circumstances; establishing the Naturopathic Formulary Council; specifying the membership of the Council; requiring the Council to establish a naturopathic formulary, transmit the formulary to the Board, and review the formulary under certain circumstances; prohibiting the formulary from including certain medicines or drugs and devices under certain circumstances; prohibiting a naturopathic physician from dispensing, administering, or prescribing certain drugs and devices unless the drug or device is on the formulary; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; authorizing the Board to assess a certain monetary penalty on a person that fails to file a certain report; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; specifying that certain investigations, reports, and recommendations are confidential under certain circumstances; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with a certain provision of law; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period; requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; prohibiting the Board

from reinstating a certain license under certain circumstances; requiring a licensed naturopathic physician to follow certain federal, State, and local laws; authorizing a licensed naturopathic physician to receive a certain fee; requiring a naturopathic physician to display a certain notice under certain circumstances; prohibiting an individual from practicing naturopathic medicine in the State without a license; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; specifying that this Act may be cited as the “Maryland Naturopathic Medicine Act”; subjecting this Act to the Program Evaluation Act; specifying that this Act does not limit certain rights of certain individuals; specifying the purpose of this Act; requiring the Board to hold its first Board meeting within a certain time period after the Governor has appointed the initial Board members; providing for the terms of the initial Board members; specifying the intent of the General Assembly regarding the initial funding of the Board; requiring the Board to reimburse the General Fund under certain circumstances; providing for the termination of this Act; defining certain terms; and generally relating to the State Board of Naturopathic Medicine and the licensing of naturopathic physicians.

BY renumbering

Article – State Government  
Section 8–403(b)(41) through (68), respectively  
to be Section 8–403(b)(42) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations  
Section 7.5–101 through 7.5–802 to be under the new title “Title 7.5.  
Naturopathic Physicians”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–722  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government

Section 8-403(b)(41)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

### **House Bill 1101 – Prince George’s County Delegation**

AN ACT concerning

#### **Real Property – Age 55 and Older – Residential Leases**

##### **PG 422-11**

FOR the purpose of requiring a landlord to offer a 36-month residential lease for certain properties offered for rent to individuals above a certain age; limiting the application of this Act to properties that are composed of a minimum number of dwelling units; limiting the application of this Act to properties that have received funding from the State used for construction of or improvement to a structure under certain conditions; requiring the 36-month residential lease to be offered to certain lessees; and generally relating to the lease of residential properties.

BY adding to

Article – Real Property  
Section 14-133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1102 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Recycling Program – School Facilities**

##### **PG 420-11**

FOR the purpose of requiring the Prince George’s County Board of Education to develop and implement a certain recycling program for all facilities under the jurisdiction of the county board; requiring the county board to address certain issues while developing a certain recycling program; requiring the county board to submit a certain report including certain information to the General Assembly on or before a certain date regarding a certain recycling program;

defining certain terms; and generally relating to a recycling program in school facilities in Prince George's County.

BY adding to

Article – Education

Section 4–127

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1103 – Prince George's County Delegation**

AN ACT concerning

#### **Prince George's County Council – Land Use Applications – Expansion of Ethics Requirements**

**PG 401–11**

FOR the purpose of prohibiting a member of the Prince George's County Council from voting or participating in proceedings related to certain land use applications, subject to certain exceptions, if a slate to which the member belongs has received certain payments from certain individuals; requiring certain applicants who make certain payments to a slate that includes a member of the County Council to file a certain affidavit; making this Act applicable to payments made to certain campaign finance entities; repealing a certain exception; and generally relating to the expansion of ethics requirements for members of the Prince George's County Council and certain applicants.

BY repealing and reenacting, without amendments,

Article – State Government

Section 15–829(a), (f), (g), (l), (m), (o), (p), and (q)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–831

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1104 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – Permit Program for Roadside Solicitation of Money or Donations – Sunset Extension**

**PG 402–11**

FOR the purpose of extending the termination date for certain provisions of law authorizing the County Council of Prince George's County to enact a permit program to allow a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; and generally relating to roadside solicitation of money or donations in Prince George's County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–507(d) and (j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 698 of the Acts of the General Assembly of 2009  
Section 2

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1105 – Prince George's County Delegation**

AN ACT concerning

**Prince George's County – School Facilities Surcharge for Replacement of Existing Single-Family Dwelling Unit**

**PG 408–11**

FOR the purpose of altering certain conditions on the Prince George's County school facilities surcharge exemption for a replacement single-family dwelling unit built on the same lot as a previously existing single-family dwelling unit by repealing provisions limiting the exemption to dwellings destroyed by fire, explosion, or natural disaster; providing for the retroactive application of this Act; and generally relating to the applicability of the school facilities surcharge in Prince George's County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Prince George's County  
Section 10–192.01  
Article 17 – 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 1106 – Delegate Hucker**

AN ACT concerning

#### **Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras**

FOR the purpose of authorizing a county board of education, in consultation with a certain local law enforcement agency, to place school bus monitoring cameras on county school buses for the purpose of recording a motor vehicle committing a violation relating to overtaking and passing school vehicles; requiring a school bus operator to give a recording of the violation to a certain local law enforcement agency; requiring a recording made by a school bus monitoring camera to include certain images and information; providing that the driver of a motor vehicle recorded committing a certain violation is subject to a certain civil penalty; providing that a civil penalty under this Act may not exceed a certain amount; requiring the District Court to prescribe a certain uniform citation form and civil penalty; requiring a certain local law enforcement agency to mail a certain citation to the owner of a certain motor vehicle within a certain period of time; providing for the contents of a certain citation; authorizing a local law enforcement agency to mail a warning instead of a citation; authorizing a person receiving a certain citation to pay the civil penalty or elect to stand trial; providing that a certain certificate is admissible as evidence in a proceeding concerning a certain violation; providing that a certain adjudication of liability is based on a preponderance of evidence; establishing certain defenses, and requirements for proving the defenses, for a certain violation recorded by a school bus monitoring camera; requiring the District Court to provide certain evidence to a local law enforcement agency under certain circumstances; authorizing a local law enforcement agency to mail a certain notice within a certain time period after receiving certain evidence; authorizing the Motor Vehicle Administration to refuse to register or reregister a motor vehicle or suspend the registration of a motor vehicle under certain circumstances; establishing that a violation for which a civil penalty may be imposed under this Act is not a moving violation for certain purposes, may be treated as a parking violation for certain purposes, and may not be considered for certain insurance purposes; requiring the Chief Judge of the District Court, in consultation with certain local law enforcement agencies, to adopt certain procedures; providing that a proceeding for a certain violation recorded by a school bus monitoring camera is under the exclusive original jurisdiction of the District Court; providing that a recorded image of a motor vehicle produced by a school bus monitoring camera is admissible in a certain proceeding under certain

circumstances; defining certain terms; and generally relating to the use of school bus monitoring cameras to enforce offenses relating to overtaking and passing school vehicles.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(13) and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–706  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–706.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1107 – Delegates Lafferty, Bobo, Cardin, Carr, Frush, Gaines, Hucker, and S. Robinson**

AN ACT concerning

**Sustainable Growth and Agricultural Preservation Act of 2011**

FOR the purpose of prohibiting, with certain exceptions, the State or a local authority, after a certain date, from recording or approving a certain residential major subdivision that will be served by an on–site sewage disposal system; authorizing the State or a local authority, after a certain date, to record or approve a certain residential major subdivision that will be served by a publicly owned sewerage system or a certain community sewerage system, shared facility, or multiuse sewerage system that meets certain criteria; prohibiting, with certain exceptions, the State or a local authority, after a certain date, from recording or approving a certain residential minor subdivision that will be served by an on–site sewage disposal system unless a certain condition is met; prohibiting, after a certain date, further subdivision of certain subdivisions; providing for the application of certain provisions of this Act; defining certain terms; altering certain definitions; and generally relating to the subdivision of land.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–501 and 9–512  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

### **House Bill 1108 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County – Abandoned Property Registry**

##### **PG 414–11**

FOR the purpose of authorizing Prince George’s County to enact a local law establishing an abandoned property registry for certain property located in the county; requiring a local law enacted under this Act to require a certain creditor owner to register certain abandoned residential property, to pay a certain registration fee, and to be responsible for the maintenance and security of the abandoned property; requiring a local law enacted under this Act to require a certain creditor owner to provide certain information on the property; requiring the county to establish a special fund for the deposit of registration fees to be used for certain purposes; requiring a local law enacted under this Act to require a certain creditor owner who transfers title of or rents an abandoned property to notify the county; requiring the county to delete the property from the registry under certain circumstances; requiring a local law enacted under this Act to make the failure to maintain and secure the abandoned property a misdemeanor subject to a certain penalty; requiring a local law enacted under this Act to subject a creditor owner to a certain civil penalty for failing to register an abandoned property; defining certain terms; and generally relating to the authority of Prince George’s County to enact a local law establishing an abandoned property registry.

BY repealing and reenacting, without amendments,

Article – Real Property  
Section 7–105.1(a)(1) and (9)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to

Article – Real Property  
Section 14–126(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.



**House Bill 1109 – Delegate Vaughn**

AN ACT concerning

**Real Property – Rescission of Sales Contracts – Return of Deposits**

FOR the purpose of requiring the return of a deposit held by a real estate broker to a purchaser who rescinds a contract to purchase a residential dwelling, a cooperative interest, a condominium unit, or a lot in a homeowners association to comply with a certain law governing the maintenance and disposition of trust money by a real estate broker under certain circumstances; making clarifying changes; and generally relating to the return of a deposit on rescission of a real property sales contract.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 17–505  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 5–6B–03(a), (b), and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 5–6B–03(c–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(h), 11–126(e), and 11–135(f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11B–108(a), (b), and (c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Real Property

Section 11B–108(c–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1110 – Delegates Frick, Arora, Barve, Carr, Cullison, Gilchrist, Hixson, Hucker, A. Kelly, Lee, Luedtke, A. Miller, Reznik, and S. Robinson**

AN ACT concerning

**Electric Company Franchise – Abandonment and Transfer**

FOR the purpose of requiring the Public Service Commission to initiate a proceeding to determine whether a certain electric company has abandoned or constructively abandoned its franchise as an electric company in the State; requiring the Commission to consider certain conditions in making a certain determination; deeming that a certain electric company has abandoned or constructively abandoned a certain franchise if the Commission finds that the electric company has demonstrated certain conditions; requiring the Commission to make a certain conclusive finding by a certain date; requiring the Commission to initiate a certain proceeding if the Commission makes a certain finding; requiring the Commission to report to the General Assembly on its findings by a certain date; and generally relating to the abandonment and transfer of an electric company franchise.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 5–103, 5–104, 5–202, and 5–303  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1111 – Delegates Love, Reznik, Barkley, Beidle, Costa, Frush, Gaines, Glenn, Healey, Jameson, Lee, Pena–Melnik, B. Robinson, Schuh, and Sophocleus**

AN ACT concerning

**Tanning Devices – Use by Minors – Prohibition**

FOR the purpose of prohibiting certain owners, employees, and operators of tanning facilities from allowing minors to use certain tanning devices; and generally relating to tanning devices.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1112 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Transportation of Public School Students – School Buses**

**PG 409–11**

FOR the purpose of requiring the use of school buses in Prince George’s County to transport certain students who live within a certain walking distance of certain schools; defining a certain term; and generally relating to the transportation of public school students in Prince George’s County.

BY adding to  
Article – Education  
Section 7–805.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1113 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County Public Schools – Funding Accountability and Transparency Act**

**PG 421–11**

FOR the purpose of requiring the Prince George’s County Board of Education to develop and operate a certain Web site that includes certain information about certain payments; specifying certain parameters of the Web site; defining certain terms; and generally relating to the development and operation of a searchable Web site by the Prince George’s County Board of Education.

BY adding to  
Article – Education

Section 5–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1114 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Municipal Corporations – Tax Credit for  
Revitalization Districts**

**PG 415–11**

FOR the purpose of authorizing the governing body of a municipal corporation in Prince George’s County to establish, by resolution, certain areas within the municipal corporations as revitalization districts; authorizing the governing body of a municipal corporation in Prince George’s County to grant a property tax credit against the municipal corporation property tax imposed on real property within a designated revitalization district; authorizing the governing body of a municipal corporation in Prince George’s County to provide, by law, certain provisions to carry out the tax credit authorized by this Act; defining a certain term; and generally relating to tax credits for revitalization districts in a municipal corporation in Prince George’s County.

BY adding to

Article – Tax – Property  
Section 9–318(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1115 – Montgomery County Delegation and Prince George’s  
County Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Maturity of Bonds – Limitation  
on Time Period for Assessment and Collection of Benefit Charges**

**MC/PG 116–11**

FOR the purpose of altering the terms of sanitary district bonds and refunding bonds that may be issued by the Washington Suburban Sanitary Commission to decrease the number of years that a bond may mature from the date of issuance;

requiring certain information regarding the number of payments of a benefit charge to be printed on property tax bills in Prince George's County and Montgomery County; prohibiting the Commission from assessing a benefit charge against certain real property for longer than a certain number of years under certain circumstances; prohibiting the Commission from recalculating or increasing any benefit charge assessed against property because of a reduction of the revenues collected by the Commission as a result of this Act; prohibiting the Commission from assessing a benefit charge for longer than a certain number of years against any new residential real property constructed in Prince George's County or Montgomery County on or after a certain date; requiring the Commission to use money in a certain bond fund to offset any reduction in revenues collected by the Commission as a result of this Act; providing that a property owner against whose property a benefit charge has been assessed by the Commission for a certain number of immediately preceding years shall be deemed as having paid the benefit charges in full; and generally relating to bonds issued and benefit charges assessed and collected by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 22–102, 22–114, and 25–214  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Public Utilities  
Section 25–215  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

### **House Bill 1116 – Prince George's County Delegation**

AN ACT concerning

#### **Prince George's County – Secondhand Precious Metal Object Dealers – Precious Metal Objects – Holding Period**

**PG 416–11**

FOR the purpose of altering the period of time during which certain secondhand precious metal object dealers in Prince George's County must hold certain precious metal objects; and generally relating to the holding period for precious metal objects in Prince George's County.

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 12–305  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1117 – Prince George’s County Delegation**

AN ACT concerning

#### **Prince George’s County Board of Education – Student Member – Voting Rights**

**PG 417–11**

FOR the purpose of repealing certain exceptions to the voting rights of the student member of the Prince George’s County Board of Education; and generally relating to the voting rights of the student member of the Prince George’s County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–1002(f)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

### **House Bill 1118 – Delegates Valderrama, Dumais, and Rosenberg**

AN ACT concerning

#### **Children in Need of Assistance – Hearings – Written Findings**

FOR the purpose of requiring the juvenile court, in certain child in need of assistance hearings, to send certain written findings to certain individuals and agencies if the court finds that certain reasonable efforts were made but that a certain condition exists; and generally relating to children in need of assistance.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–816.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1119 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Entertainment Permit****PG 311–11**

FOR the purpose of specifying that certain alcoholic beverages license holders in Prince George’s County need not obtain an entertainment permit under certain circumstances; requiring a holder of an entertainment permit to meet all requirements under county law; clarifying that a certain prohibition is in effect when the privileges authorized by the entertainment permit are being exercised; making a certain stylistic change; and generally relating to the issuance of entertainment permits in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(r)(1)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(r)(19)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1120 – Delegates Dumais and Simmons**

AN ACT concerning

**Civil Action – Wrongfully Selling or Furnishing Alcoholic Beverages**

FOR the purpose of providing that a civil action for certain damages may be brought against an alcoholic beverages licensee or the licensee’s employee under certain circumstances for selling or furnishing alcoholic beverages to an individual who is under a certain age or visibly under the influence of alcoholic beverages and who negligently drives or attempts to drive a motor vehicle after consuming the alcoholic beverages; requiring a trier of fact to determine whether a wrongful sale or furnishing of alcoholic beverages was a proximate cause of certain damages; providing for a certain standard of proof; establishing that an action may not be brought under this Act by certain individuals; providing for the admissibility of certain evidence; providing for a certain period of limitations for

bringing an action under this Act; defining certain terms; providing for the application of this Act; and generally relating to certain civil liability for wrongfully selling or furnishing alcoholic beverages under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1801 through 3–1805 to be under the new subtitle “Subtitle 18.  
Wrongful Sale or Furnishing of Alcoholic Beverages”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–105

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

### **House Bill 1121 – Delegate McHale**

AN ACT concerning

#### **Renewable Energy Portfolio – Waste-to-Energy**

FOR the purpose of expanding the definition of a Tier 1 renewable source to include waste-to-energy; altering the definition of a Tier 2 renewable source to exclude waste-to-energy; and generally relating to waste-to-energy and Tier 1 renewable sources applied to the renewable energy portfolio standard.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–701(l) and (m)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–703(b)(6) through (17)

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1122 – Delegates Kramer, Arora, and Cullison**



AN ACT concerning

**Creation of a State Debt – Montgomery County – Cardinal McCarrick Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Catholic Charities of the Archdiocese of Washington 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 1123 – Delegates Feldman, Barkley, and Barnes**

AN ACT concerning

**Public Service Commission – Long-Term Contracts – Solar Renewable Energy Credits**

FOR the purpose of authorizing the Public Service Commission, by regulation or order, to require or allow the procurement of solar renewable energy credits under long-term contracts as part of a certain competitive process; requiring the Commission to consider certain factors in determining a certain requirement to procure solar renewable energy credits; providing for an exception to a certain requirement that the duration of a certain contract term for solar renewable energy credits may not be less than a certain number of years; and generally relating to the procurement of solar renewable energy credits under long-term contracts as part of the competitive selection of wholesale electricity suppliers.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7-510(c), 7-548(b)(5), and 7-709(c)(1)

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1124 – Delegates Conaway, Alston, Dumais, George, Glenn, Mitchell, Oaks, B. Robinson, Stukes, Summers, Tarrant, and Washington**

AN ACT concerning

**Baltimore City – Prohibition Against Sales of Tobacco Products to Minors – Signs**

FOR the purpose of requiring certain licensed retailers in Baltimore City to post a certain sign in a conspicuous location that states a certain prohibition against the sale of tobacco products to persons under a certain age; requiring the Comptroller to adopt guidelines for the design of the sign; establishing certain penalties; and generally relating to signs stating a prohibition against the sale of tobacco products to persons under a certain age in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 16–201(d) and (k) and 16–205  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Business Regulation  
Section 16–224  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1125 – Delegates McHale, Clippinger, and Hammen**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Port Discovery**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

**House Bill 1126 – Delegates Glenn, Conaway, Harrison, Haynes, McHale, B. Robinson, Stukes, and Tarrant**

AN ACT concerning

**Circuit Court for Baltimore City – Jury Duty – Parking**

FOR the purpose of requiring the Circuit Court for Baltimore City to provide free parking accommodations for prospective, qualified, or sworn jurors for a certain time period; and generally relating to jury duty in the Circuit Court for Baltimore City.

BY adding to

Article – Courts and Judicial Proceedings

Section 8–427.1

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1127 – Delegates Glenn, Carr, Conaway, Harrison, McHale, Olszewski, B. Robinson, and Stukes**

AN ACT concerning

**Alcoholic Beverages – Landlords – Premises That Violate Minimum Distance Requirement from Schools or Churches**

FOR the purpose of making it a misdemeanor for a landlord to rent out a premises to be used for the sale of alcoholic beverages if the landlord knows or has reason to know that the use would violate a certain minimum distance requirement between a licensed premises and a church or school; providing a penalty; and generally relating to the sale of alcoholic beverages.

BY adding to

Article 2B – Alcoholic Beverages

Section 16–509.1

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1128 – Delegates Valderrama, Alston, Anderson, Arora, Braveboy, Clippinger, Cluster, Conaway, Dumais, Dwyer, Glenn, Gutierrez, Hough, A. Kelly, Lee, McComas, McDermott, A. Miller, Simmons, Smigiel, Valentino–Smith, Waldstreicher, and Wilson**

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 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–301(e) and (f)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1129 – Delegates Kramer, Bates, Beitzel, Bromwell, Carter, Costa, Dwyer, George, Jameson, Kach, K. Kelly, Kipke, McConkey, W. Miller, Norman, O’Donnell, Vitale, Weir, and Wood**

EMERGENCY BILL

AN ACT concerning

**Maryland Contributory Negligence Act**

FOR the purpose of establishing that the common law doctrine of contributory negligence, as it existed under its judicially determined meaning on a certain date, shall remain an affirmative defense that may be raised by a party under certain circumstances; defining certain terms; providing for the scope of this Act; making this Act an emergency measure; and generally relating to certain actions for damages and contributory negligence.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 11–2A–01 to be under the new subtitle “Subtitle 2A. Maryland Contributory Negligence Act”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1130 – Delegates Hucker, Barkley, Feldman, and McHale**

AN ACT concerning

**Maryland Wage and Hour Law – Prohibited Acts of Employers – Adverse Action**

FOR the purpose of prohibiting an employer from taking adverse action against an employee who makes a complaint, brings an action, or testifies in an action under the Maryland Wage and Hour Law; specifying that the adverse action prohibited includes certain retaliatory actions; defining a certain term; and generally relating to prohibited acts of employers under the Maryland Wage and Hour Law.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 3–401  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–428  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1131 – Delegates Glenn, Anderson, Harrison, McHale, B. Robinson, Stukes, and Tarrant**

AN ACT concerning

**General Assembly – Members – Constituent Services Fund**

FOR the purpose of authorizing a member of the General Assembly to establish a constituent services fund; authorizing a member to accept contributions to the fund; prohibiting a member from spending more than a certain amount from the fund in a calendar year; authorizing a member to make unlimited contributions to the fund; prohibiting a person that makes contributions to the fund from contributing more than a certain amount per calendar year; requiring that the value of personal property donated to the fund be calculated in a certain manner and prohibiting the value from exceeding a certain amount; requiring that, under certain circumstances, unused funds be used in a certain manner or donated to certain organizations; requiring a member who establishes a fund to include certain information on the member's campaign finance reports; prohibiting a member from using funds from the fund to conduct certain activities or distribute certain materials; defining a certain term; and generally relating to the establishment of constituent services funds by members of the General Assembly.

BY adding to

Article – State Government  
Section 2–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1132 – Delegates Carter, Alston, Cluster, Conaway, Dwyer, Hough, Howard, K. Kelly, Kramer, McComas, McDermott, Niemann, Oaks, Simmons, Smigiel, Summers, Washington, and Wilson**

AN ACT concerning

**Family Law – Children’s Civil Rights – Equal Parenting Time**

FOR the purpose of creating a rebuttable presumption that certain custodial arrangements are in the best interest of the child in certain child custody proceedings; and generally relating to child custody determinations.

BY adding to

Article – Family Law  
Section 9–109  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**House Bill 1133 – Delegates Boteler, Cluster, Eckardt, Kach, Norman, Stocksdale, and Wood**

AN ACT concerning

**Procurement – Prevailing Wage – Rates**

FOR the purpose of altering the manner in which the Commissioner of Labor and Industry, or other designated individuals, determine prevailing wage rates for certain classifications of workers; establishing a statewide prevailing wage rate for certain worker classifications; requiring the Commissioner to survey certain contractors and subcontractors when establishing prevailing wage rates; requiring the Commissioner to estimate the prevailing wage rate under certain circumstances; altering certain provisions governing the review of the Commissioner’s determination of the prevailing wage rate; and generally relating to prevailing wage rates in the State.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 17–201(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(h), 17–208, 17–209, and 17–211  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **House Bill 1134 – Delegates Hucker, Barkley, Burns, and Frick**

AN ACT concerning

#### **Consumer Protection – Household Goods Movers – Estimates and Charges**

FOR the purpose of requiring a household goods mover to provide a written estimate to a consumer before providing household goods moving services for an intrastate move; specifying the contents of the written estimate; providing that a consumer that receives a binding estimate may not be required to pay more than a certain price for certain household goods moving services; providing that a consumer that receives a nonbinding estimate may not be required to pay more than a certain percentage of a certain price for certain household goods moving services; and generally relating to the regulation of household goods movers.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–3101(a) and (c) through (f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–3102.1, 14–3103, and 14–3104  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Commercial Law  
Section 14–3103  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1135 – Delegates Love, Beidle, Burns, Costa, Feldman, Impallaria, Kipke, Pena–Melnik, and Ross**

AN ACT concerning

**State Board for Professional Engineers – Increase in Membership and Practice Specialties**

FOR the purpose of increasing the number of members of the State Board for Professional Engineers; requiring a certain number of engineer members of the Board to be on a certain list submitted by the Maryland Society of Professional Engineers; requiring a certain list to include only individuals who practice certain engineering specialties; making certain conforming changes; specifying the terms of the new members of the Board; and generally relating to the State Board for Professional Engineers.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 14–202  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

**House Bill 1136 – Delegates Glenn, Anderson, Carr, Conaway, Harrison, Haynes, B. Robinson, Stukes, and Tarrant**

AN ACT concerning

**Courts – Jury Service – Employer Compensation**

FOR the purpose of requiring employers with a certain minimum number of employees to provide compensation to an employee as a result of responding to a summons for jury service; providing that the compensation shall be calculated on the basis of certain factors; providing for certain penalties; providing for the application of this Act; and generally relating to jury service.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 8–502  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.



**House Bill 1137 – Delegates Healey, Beidle, Frush, Glenn, Holmes, and Niemann**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Uniform Warning Signs**

FOR the purpose of requiring that certain signs placed for the purpose of alerting drivers to the presence of speed monitoring systems be uniform throughout the State; requiring that certain signs placed for the purpose of alerting drivers to the presence of work zone speed control systems be uniform throughout the State; and generally relating to signs alerting drivers to the presence of speed monitoring and work zone speed control systems.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809(b)(1)(vii) and 21–810(b)(2)(iii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 21–809(k) and 21–810(l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1138 – Delegates Boteler, Cluster, Kach, Krebs, Norman, and Stocksdales**

AN ACT concerning

**Motor Vehicle Administration – Documents and Records – Use of Mailing Address**

FOR the purpose of authorizing a current or former State's Attorney, deputy State's Attorney, assistant State's Attorney, member of the judiciary of the State, United States Marshal, special agent of the Federal Bureau of Investigation, or certain current or former law enforcement officers to provide a mailing address in lieu of a residence address on any application or other official document of the Motor Vehicle Administration; requiring the Administration, on the request of a certain individual, to ensure that only the individual's mailing address is printed on any official document or public record produced by the Administration; authorizing the Administration to adopt certain regulations to carry out the provisions of this Act; defining a certain term; and generally relating to the use of a mailing address for certain individuals in lieu of a

residence address on certain documents and public records of the Motor Vehicle Administration.

BY adding to

Article – Transportation  
Section 12–121  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**House Bill 1139 – Delegates Vaughn, Anderson, Braveboy, Cane, Carter, Lee, McDonough, McIntosh, Mitchell, Nathan–Pulliam, Oaks, B. Robinson, Stukes, V. Turner, and Walker**

AN ACT concerning

**Transportation – Highway Construction Training and Supportive Services**

FOR the purpose of requiring the State Highway Administration to use the maximum amount of certain federal funds available under a certain provision of federal law for highway construction training and supportive services, including skill improvement programs; requiring the Administration to submit a certain report by a certain date each year to certain committees of the General Assembly; requiring the report to include certain information; and generally relating to the use of federal funds for highway construction training.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 8–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation  
Section 8–508  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Ways and Means.

**House Bill 1140 – Delegate Carter**

AN ACT concerning

**Baltimore City – Juvenile Detention Facilities – Moratorium**

FOR the purpose of prohibiting the Department of Public Safety and Correctional Services from planning or constructing a certain detention facility in Baltimore City; prohibiting the planning or construction of any detention facility for juveniles in Baltimore City until there are adequate structures in place and adequate funding dedicated to meet certain needs of juvenile residents of Baltimore City; stating the intention of the General Assembly that all State funding that would have been used to construct or operate a certain facility be redirected for certain purposes; and generally relating to detention facilities in Baltimore City.

BY adding to

Article – Correctional Services

Section 5–407

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Appropriations.

### INTRODUCTION OF JOINT RESOLUTIONS

**House Joint Resolution 8 – Delegates Oaks, Anderson, Carter, Costa, Hubbard, Pena–Melnik, B. Robinson, Rosenberg, and V. Turner**

A House Joint Resolution concerning

#### **Commission to Rename Mountains in the State**

FOR the purpose of establishing a commission to rename Negro Mountain and Polish Mountain; providing for the membership of the commission; requiring the commission to provide certain information to the Governor, General Assembly, Maryland State Archives, Maryland Geological Survey, and Department of Natural Resources on or before a certain date; and generally relating to establishing a commission to rename mountains in the State.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 9 – Delegates Parrott, Afzali, Dwyer, Glass, Hogan, Hough, McDonough, Ready, and Szeliga**

A House Joint Resolution concerning

#### **Maryland Sovereignty Under the Tenth Amendment to the Constitution of the United States**

FOR the purpose of declaring the sovereignty of the State of Maryland under the Tenth Amendment to the Constitution of the United States; and providing notice and demand to the government of the United States to cease and desist imposing mandates that are beyond the scope of the powers delegated to the federal government under the Constitution of the United States.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Joint Resolution 10 – Delegates Parrott, Afzali, Bates, Eckardt, Fisher, Frank, Glass, Haddaway–Riccio, W. Miller, Myers, Norman, O’Donnell, Schuh, Schulz, Smigiel, and Stocksdale**

A House Joint Resolution concerning

### **Enforcement of Federal Immigration Laws**

FOR the purpose of resolving that the State should enforce federal immigration laws, end sanctuary policies, and require public and private employers to comply with federal and State immigration laws; and calling on law enforcement officers to execute their authority to arrest any person guilty of hiring, harboring, or transporting illegal immigrants and to turn over illegal immigrants to federal authorities for removal from the United States.

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 17 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

### **Courts – Sentence Review – Review Panel**

FOR the purpose of altering the number of judges on a criminal sentence review panel; altering a certain definition to require review panel judges to be of a certain judicial circuit; clarifying who is entitled to a sentence review by a review panel; clarifying that a sentence includes any suspended portion for the purposes of a sentence review; repealing a provision of law authorizing a certain sentencing judge to sit with a review panel in an advisory capacity; authorizing a review panel to confer with a certain sentencing judge; establishing that a review panel has jurisdiction over a defendant’s case once a sentence has been changed;

clarifying who may be heard at a criminal sentence review hearing; and generally relating to criminal sentence reviews and review panels.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–101, 8–102, 8–105, and 8–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 32 – Senator Reilly**

AN ACT concerning

**Agriculture – Practice of Veterinary Medicine – Exclusions**

FOR the purpose of adding trimming and maintaining horse hooves by a farrier or a certain person to the list of activities that are excluded from the definition of the practice of veterinary medicine; and generally relating to the practice of veterinary medicine in the State.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–301(a) and (f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–301(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 50 – Senators Brochin, Frosh, ~~and Stone~~ Stone, Forehand, Gladden, Jacobs, Ramirez, Raskin, Shank, and Zirkin**

AN ACT concerning

**Criminal Procedure – Victim’s Compensation – Temporary Lodging for Domestic Violence Victims**

FOR the purpose of making certain victims eligible for certain monetary awards for temporary lodging for a certain period from the Criminal Injuries Compensation

Fund under certain circumstances; and generally relating to awards from the Criminal Injuries Compensation Fund.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–811  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Judiciary.

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tree Expert License – Application and Renewal**

FOR the purpose of repealing certain tree expert application and license renewal fees; authorizing the Department of Natural Resources to set certain tree expert application and license renewal fees by regulation; authorizing the Department to establish a timetable and procedure for tree expert license renewal by regulation; providing for the termination of this Act; and generally relating to tree expert licenses.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–419  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental –  
Comptroller)**

AN ACT concerning

**Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and  
Penalties**

FOR the purpose of prohibiting certain persons from purchasing, selling, reselling, distributing, dispensing, or giving away to any person in the State certain unpackaged cigarettes; establishing certain penalties for a violation of certain provisions of this Act; providing for the application of certain provisions of this Act; defining a certain term; and generally relating to the regulation of unpackaged cigarettes.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 11–5A–01 and 11–5A–02 to be under the amended subtitle “Subtitle 5A.  
Sales of Unpackaged Cigarettes”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 11–5A–03  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 83 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Affordable Housing Programs – Authority of Local Governments to Support  
Programs – Sunset Repeal**

FOR the purpose of repealing the termination date for a certain provision of law authorizing local governments to take certain actions to support, foster, or promote an affordable housing program for individuals or families of low or moderate income; and generally relating to the authority of local governments to take action to support, foster, and promote affordable housing.

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 21–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 386 of the Acts of the General Assembly of 2008  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 387 of the Acts of the General Assembly of 2008  
Section 3

Read the first time and referred to the Committee on Environmental Matters.

**Senate Bill 88 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Insurance Administration – Program Evaluation**

FOR the purpose of requiring that an evaluation under the Maryland Program Evaluation Act of the Maryland Insurance Administration and the statutes and regulations that relate to the Administration be performed on or before a certain date; and generally relating to the Maryland Insurance Administration.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Health and Government Operations.

**Senate Bill 91 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Architects – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Architects 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 chairs of certain design boards to submit a certain report on or before a certain date; and generally relating to the State Board of Architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 3–702  
Annotated Code of Maryland



(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 93 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators 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; altering the membership 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 to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section ~~9–202~~ and 9–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–403(b)(42)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Professional Engineers – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board for Professional Engineers 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 for Professional Engineers.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 14–602  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(21)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 103 – Chair, Finance Committee**

AN ACT concerning

**Office of the Commissioner of Financial Regulation, the Banking Board, and  
the State Collection Agency Licensing Board – Sunset Extension and  
Program Evaluation**

FOR the purpose of repealing the Banking Board in the Department of Labor, Licensing, and Regulation; continuing the Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board 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 Office of the Commissioner of Financial Regulation and the State Collection Agency Licensing Board; requiring that an evaluation of the Office of the Commissioner of Financial Regulation and the State Collection Licensing Board and the statutes and regulations that relate to them be performed on or before a certain date; repealing certain provisions requiring the Commissioner of Financial Regulation to seek the advice of the Banking Board on certain matters; providing that deposits of certain trust money in financial institutions located outside the State are subject to the approval of the Commissioner of Financial Regulation instead of the Banking Board; requiring the Commissioner to implement a risk-based mortgage lender licensee examination schedule on or before a certain date and report to certain committees of the General Assembly on the implementation of the examination schedule on or before a certain date; requiring ~~the Maryland Judiciary, in consultation with~~ the State Collection Agency Licensing Board and the Attorney General's Office, ~~to study a certain issue~~ monitor whether the Maryland Judiciary has made a certain determination and report ~~to~~ certain findings and recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to the Office of the Commissioner of Financial Regulation, the State Collection Agency Licensing Board, and the Banking Board.

BY repealing

Article – Business Regulation

Section 2-108(a)(4)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY renumbering

Article – Business Regulation

Section 2-108(a)(5) through (34), respectively

to be Section 2-108(a)(4) through (33), respectively

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

BY repealing

Article – Financial Institutions

Section 2–201 through 2–204 and the subtitle “Subtitle 2. Banking Board”; and  
2–402

Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 7–502  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 2–401, 3–203(d)(1), 3–607, 3–705, 4–203(d)(1), 4–701(b), 4–803(d)(1),  
5–209(a), 5–405(b), and 5–801  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 3–203(a), 4–203(a), 4–701(a), 4–803(a), and 5–405(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 22–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(13) and (24)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing  
Article – State Government  
Section 8–403(b)(8)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(9) through (68), respectively

to be Section 8–403(b)(8) through (67), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 49)

### **ADJOURNMENT**

At 11:19 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 14, 2011.

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**Annapolis, Maryland**  
**Monday, February 14, 2011**

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The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Szeliga of Baltimore and Harford counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 50)

The Journal of February 11, 2011 was read and approved.

**EXCUSES:**

Del. Bobo – personal

Del. Guzzone – illness

Del. Harrison – medical

Del. Mizeur – funeral

Del. Myers – personal – emergency dental appointment

Del. Stifler – personal

**INTRODUCTION OF BILLS**

**House Bill 1141 – Delegate James**

AN ACT concerning

**Juvenile Court – Truancy Court – Petition**

FOR the purpose of repealing a certain requirement that a certain criminal charge against a certain person must be filed and dismissed or steted before filing a truancy petition in certain judicial circuits that have established Truancy Reduction Pilot Programs; repealing certain requirements relating to criminal charges being filed against a certain person with legal custody of a child in certain jurisdictions that have established a Truancy Reduction Pilot Program; and generally relating to a petition filed in truancy court.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–04

Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 7–301(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Education  
Section 7–301(e–1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1142 – Delegates Murphy and Rudolph**

AN ACT concerning

#### **Natural Resources – Atlantic Menhaden – Restrictions on Products from Reduction**

FOR the purpose of prohibiting a person from manufacturing, selling, or distributing a product or product component obtained from the reduction of an Atlantic menhaden; requiring the Department of Natural Resources to adopt certain regulations in consultation with the Department of Labor, Licensing, and Regulation; establishing a certain penalty; and generally relating to the reduction Atlantic menhaden fishery.

BY adding to  
Article – Natural Resources  
Section 4–731.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1143 – Delegate Sophocleus**

AN ACT concerning

#### **Business Regulation – Secondhand Precious Metal Object Dealers – Exempted Transactions and Record Keeping Requirements**

FOR the purpose of exempting certain transactions of certain retail jewelers from the requirement to hold a secondhand precious metal object dealer license; authorizing certain dealers to identify certain items by certain methods; requiring a certain law enforcement unit to adopt certain procedures for certain dealers to amend certain records; making certain stylistic changes; and generally relating to exempted transactions and the record keeping requirements of secondhand precious metal object dealers.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–102(b), 12–301(d), and 12–304  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Business Regulation  
Section 12–301(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Business Regulation  
Section 12–301(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1144 – Delegate Costa**

AN ACT concerning

#### **Pharmacy Benefits Managers – Specialty Drugs**

FOR the purpose of requiring a pharmacy benefits manager to obtain approval from the State Board of Pharmacy before the pharmacy benefits manager designates certain prescription drugs as specialty drugs on a formulary; and generally relating to pharmacy benefits managers and specialty drugs.

BY adding to  
Article – Insurance  
Section 15–1611  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)



Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1145 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge**

FOR the purpose of establishing that the surcharge on wireless telecommunication services applies to prepaid service; establishing the amount of the prepaid wireless E 9–1–1 fee; allowing for the collection of the fee for the purpose of contributing to the 9–1–1 Trust Fund; providing that the fee shall be collected for certain transactions; establishing certain procedures for the collection of the fee; authorizing the Comptroller to adopt certain regulations; establishing certain immunity provisions; defining certain terms; and generally relating to 9–1–1 emergency telephone systems and the collection of fees to support the systems.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–301 through 1–303, 1–308, 1–310, and 1–311

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 1–309

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

BY adding to

Article – Public Safety

Section 1–313

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1146 – Chair, Health and Government Operations Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**Electronic Health Records – Definition of State–Regulated Payor – State Employee and Retiree Health and Welfare Benefits Program**

FOR the purpose of altering the definition of “State–regulated payor” as it relates to the regulation of electronic health records to exclude the State Employee and Retiree Health and Welfare Benefits Program; repealing a certain requirement that the Secretary of Budget and Management ensure that the State Employee and Retiree Health and Welfare Benefits Program complies with certain provisions of law governing electronic health records; and generally relating to electronic health records.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–142(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–503(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1147 – Chair, Health and Government Operations Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Maryland Correctional Enterprises Goods and Services – Sales to State Employees**

FOR the purpose of authorizing the sale of goods and services of Maryland Correctional Enterprises on the open market to an individual employed by the State government; and generally relating to Maryland Correctional Enterprises.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–516  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1148 – Delegates Griffith, Hixson, Howard, James, Summers,  
Vaughn, 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 to the Department of Business and Economic Development to be a qualified film production entity; requiring the Secretary of Business and Economic Development to determine if a film production entity qualifies for the credit; requiring that to qualify for the credit certain estimated costs incurred in the State must 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; limiting the total credit amounts for which the Secretary may issue initial tax credit certificates for each fiscal year; 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 the 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 and 2010 Supplement)

BY adding to

Article – Tax – General

Section 10–729

Annotated Code of Maryland

(2010 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1149 – Delegate Costa**

AN ACT concerning

**Pharmacies – Delivery of Controlled Dangerous Substances**

FOR the purpose of requiring certain pharmacies to require an adult to sign for the delivery of certain controlled dangerous substances to a residence; requiring the State Board of Pharmacy to waive certain requirements for certain pharmacies under certain circumstances; and generally relating to pharmacies and the delivery of controlled dangerous substances.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–403(b)(17) and (c)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1150 – Delegates Hubbard, Costa, Cullison, Kach, Lee, Pena–Melnyk, Reznik, and Tarrant**

AN ACT concerning

**Mental Hygiene Administration – Facilities – Trauma–Informed Care**

FOR the purpose of requiring certain facilities to provide staff with certain training and to conform with certain trauma–informed care principles; requiring certain individuals to report certain abuse under certain circumstances; requiring certain facilities to report complaints of certain sexual abuse and sexual harassment to the State designated protection and advocacy system; requiring a law enforcement agency to submit certain findings to the State designated protection and advocacy system under certain circumstances; requiring the Mental Hygiene Administration to develop certain policies and to develop and oversee certain training and education related to trauma–informed care; prohibiting State facilities from locating male and female bedrooms on the same hallway and requiring the facilities to provide for a certain barrier; requiring State facilities to use certain screening tools in a certain manner; requiring State facilities to make certain reassignments under certain circumstances; requiring State facilities to establish a certain female–only unit; requiring State facilities to provide certain patients with certain treatment and education related to sexual abuse; requiring State facilities to ensure that certain staff

receive certain training related to trauma recovery; requiring the Administration to request technical assistance from a certain group to implement certain provisions of this Act; requiring the Administration to convene a certain committee to provide certain advice and make certain recommendations; requiring the Administration to make a certain report to the Governor and General Assembly on or before a certain date; making certain technical changes; defining certain terms; and generally relating to mental health facilities and trauma-informed care.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–701 and 10–705  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1151 – Delegate Feldman**

AN ACT concerning

#### **Corporations – Limited Liability Companies – Election to Be a Benefit Corporation**

FOR the purpose of authorizing a Maryland limited liability company to elect to be a benefit corporation; specifying the process by which a limited liability company may elect to be a benefit corporation; specifying the process by which a limited liability company may terminate its status as a benefit corporation; requiring a clear reference to the fact that a limited liability company is a benefit corporation to appear prominently at the head of certain articles of organization of the limited liability company; requiring the limited liability company to have a certain purpose; authorizing the limited liability company to have a certain purpose; requiring a member of the limited liability company to consider the effects of certain actions or decisions not to act on certain persons and interests; requiring the limited liability company to deliver a certain annual benefit report to each member of the limited liability company within a certain time period and to post the report on a certain portion of its Web site under certain circumstances; prohibiting a provision of the articles of organization or operating agreement of the limited liability company from being inconsistent with certain provisions of law; altering a certain definition; making certain conforming changes; and generally relating to limited liability companies and benefit corporations.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–6C–01, 5–6C–02, and 5–6C–04 through 5–6C–08

Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 5–6C–03

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

(As enacted by Chapters 97 and 98 of the Acts of the General Assembly of 2010)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1152 – Delegate Cane**

AN ACT concerning

#### **Creation of a State Debt – Dorchester County – Cambridge City Hall Renovation**

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 Mayor and City Commission of the City of Cambridge 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 1153 – Delegate Barve**

AN ACT concerning

#### **Maryland Revised Uniform Anatomical Gift Act**

FOR the purpose of repealing the Maryland Anatomical Gift Act and enacting the Maryland Revised Uniform Anatomical Gift Act; authorizing certain individuals to make, amend, or revoke anatomical gifts; providing the methods by which anatomical gifts may be made; authorizing certain individuals to refuse to make certain anatomical gifts; establishing certain circumstances under which an anatomical gift is prohibited; establishing the persons to which certain anatomical gifts may be made; establishing a certain priority if more than one person in a certain class makes a gift; establishing certain purposes for which certain anatomical gifts can be made; establishing a certain priority for certain anatomical gifts if more than one purpose is given for the anatomical gift;

requiring certain persons to search certain individuals for a document of gift or other information identifying the individual as a donor under certain circumstances; requiring certain individuals to allow certain examination and copying of certain anatomical gifts or refusals; requiring that certain procurement organizations be allowed certain access to certain records of the Motor Vehicle Administration; authorizing certain procurement organizations to make certain examinations to ensure the medical suitability of certain anatomical gifts; providing for the acceptance and removal of certain anatomical gifts; establishing certain acts as felonies and establishing certain penalties; providing that certain persons are guilty of a felony and subject to a certain penalty for purchasing or selling certain parts under certain circumstances; authorizing a person to charge a certain amount for providing certain services; establishing that certain donors may make certain gifts by authorizing that certain statements or symbols be included on a certain registry; providing that certain persons that act in good faith are not liable in certain civil actions; requiring the Secretary of Health and Mental Hygiene to contract with and provide compensation to a certain nonprofit entity for the establishment, maintenance, and operation of a donor registry; requiring that the Organ and Tissue Donation Awareness Fund provide funds for the establishment, operation, and maintenance of a certain donor registry; requiring the Motor Vehicle Administration to cooperate in the transfer of certain information to the donor registry; establishing certain administrative terms for the donor registry; providing for the resolution of conflicts between certain anatomical gifts and certain advance directives; requiring that certain procurement organizations and the Office of the Chief Medical Examiner (OCME) cooperate to maximize the opportunity to recover certain anatomical gifts and to facilitate certain OCME examinations; providing for the terms of the recoveries between certain procurement organizations and OCME; providing for the resolution of conflicts between certain anatomical gift designations and certain investigations by OCME; providing that this Act supersedes a certain federal statute; requiring that certain directions to make, amend, revoke, or refuse to make an anatomical gift be recorded in certain medical records; altering the circumstances under which the consent of certain representatives is not necessary; requiring the custodian of certain motor vehicle records containing personal information to disclose certain personal information for use by certain procurement organizations under certain circumstances; repealing a certain provision prohibiting that certain donor designations appear on certain minors' drivers' licenses; making certain technical changes; defining certain terms; and generally relating to the Maryland Revised Uniform Anatomical Gift Act.

BY repealing

Article – Estates and Trusts

Section 4–501 through 4–513 and the subtitle “Subtitle 5. Maryland Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2010 Supplement)

BY adding to

Article – Estates and Trusts

Section 4–501 through 4–522 to be under the new subtitle “Subtitle 5. Maryland Revised Uniform Anatomical Gift Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–408, 5–604.1, 13–901, and 19–310(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–303

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1154 – Delegate Gilchrist**

AN ACT concerning

#### **Natural Resources – Striped Bass and Crabs – Revocation**

FOR the purpose of providing that a certain person who receives a citation for a certain offense related to unlawfully taking striped bass or crabs may have a certain authorization revoked under certain circumstances; requiring the Department of Natural Resources, in consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, to adopt regulations that establish certain grounds for the revocation of a certain authorization, including certain categories of offenses; requiring the Department to hold a certain hearing under certain circumstances in accordance with the Administrative Procedure Act; requiring the Department to revoke a person’s authorization to catch striped bass or crabs under certain circumstances; authorizing certain aggrieved persons to obtain judicial review of a certain decision; prohibiting a certain person from engaging or working in a certain fishery under certain circumstances; and generally relating to unlawfully taking striped bass or crabs and authorization revocation.

BY adding to

Article – Natural Resources

Section 4–1210

Annotated Code of Maryland



(2005 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### House Bill 1155 – Delegate Smigiel

AN ACT concerning

#### **Pension Reform Act of 2011**

FOR the purpose of requiring the State to discontinue certain prescription drug benefits for certain retirees beginning in a certain fiscal year; prohibiting the Chief Investment Officer for the State Retirement and Pension System from hiring or renewing a contract with certain external investment managers on or after a certain date; requiring the Chief Investment Officer to manage certain assets of the State Retirement and Pension System in a certain manner; providing that, on or after a certain date, certain individuals are not eligible to join the Employees' Pension System or the Teachers' Pension System; requiring that, on or after a certain date, certain individuals are required to join the optional retirement program as a condition of employment; providing that certain supervising employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain supervising employers to administer certain aspects of the participation of certain employees participating in the optional retirement program; providing that certain employees are eligible to participate in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a certain period of time and in a certain manner; requiring certain participating governmental units that elect to participate in the State Retirement and Pension System on or after a certain date to participate in the optional retirement program; requiring certain participating governmental units that elect to participate in the optional retirement program to make such an election in a certain manner; providing for the effective date of participation for certain participating governmental units that elect to participate in the optional retirement program; prohibiting a participating governmental unit from transferring certain service credit of certain employees of the participating governmental unit to the optional retirement program; defining certain terms; and generally relating to reforms in benefits for retirees and the management of assets of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–509.1, 21–122(d) and (e), 23–203, 23–204(c) and (d), 23–208, 30–101, 30–201, 30–202, 30–207, 30–210, 30–301, 30–302, 30–303, 30–305, 30–306, 30–307(e), 31–101(c) and (d), 31–102, 31–109, and 31–113

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 31–101(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 31–109.2, 31–109.3, 31–111.7, and 31–112.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1156 – Delegates Rudolph and James**

AN ACT concerning

#### **Northeastern Maryland Higher Education and Applied Technology Center**

FOR the purpose of establishing the Northeastern Maryland Higher Education and Applied Technology Center; providing that the Center shall be governed by a certain Board; establishing the number of voting Board members; providing for the appointment of Board members; establishing the term lengths for Board members; providing for the appointment of a Board chair; providing for the establishment of certain committees; establishing the number of nonvoting members; providing for the reimbursement of certain expenses; establishing the length of members' initial terms; specifying the Board's powers; requiring the Board to fulfill certain duties; providing for a director of the Center; specifying the procedure for selecting a director; requiring the director to fulfill certain duties; requiring the submission of a budget for certain purposes; specifying the procedures for requesting certain appropriations; providing for the disposition of certain property by the Board; providing certain liability protections for the Board, its agents, and employees; defining certain terms; declaring the intent of the General Assembly; and generally relating to the establishment of the Northeastern Maryland Higher Education and Applied Technology Center.

BY adding to

Article – Education

Section 24–3A–01 through 24–3A–08 to be under the new subtitle “Subtitle 3A. Northeastern Maryland Higher Education and Applied Technology Center”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1157 – Delegates Rudolph and Conway**

AN ACT concerning

**Homeowner's Insurance – Cancellation or Nonrenewal – Water Proximity and Storms**

FOR the purpose of prohibiting an insurer from canceling or failing to renew certain homeowner's insurance on the basis of a certain proximity to water or of certain storm risks; prohibiting an insurer from issuing a notice of nonrenewal of homeowner's insurance solely on certain bases under certain circumstances; requiring every cancellation or nonrenewal to be substantiated in a certain manner subject to certain review by the Maryland Insurance Commissioner; providing for the retroactive application of this Act; and generally relating to homeowner's insurance and cancellation and nonrenewal.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–107  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1158 – Delegates Rudolph and James**

AN ACT concerning

**Creation of a State Debt – Cecil County – Plumpton Park Zoological Gardens**

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 Plumpton Park Zoological Gardens, 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 1159 – Delegates Rudolph and Conway**

AN ACT concerning

**Homeowner's Insurance – Plan of Material Reduction – Limitations**

FOR the purpose of prohibiting an insurer from filing a certain plan of material reduction in homeowner's insurance on certain bases or in certain areas under certain circumstances; authorizing the Maryland Insurance Commissioner to approve the filing of a certain plan of material reduction under certain circumstances; authorizing an insurer to cancel or fail to renew certain policies under certain circumstances; altering a certain definition; providing for the application of this Act; and generally relating to homeowner's insurance and plans of material reduction.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 19–211  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–212  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 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 46 – Senator Conway**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Podiatric Medical Assistants –  
Registration**

FOR the purpose of requiring an individual to be registered by the State Board of Podiatric Medical Examiners before the individual may perform functions under the supervision of and as delegated by a licensed podiatrist; requiring a licensed podiatrist who employs a registered podiatric medical assistant to keep a record of a certain registration in a certain file; requiring an applicant for registration to be an individual who meets certain requirements; requiring certain

applicants for registration to submit a certain written statement to the Board and meet certain requirements no later than a certain date; requiring an applicant for registration to submit certain documents and a certain fee to the Board; requiring the Board to register as a podiatric medical assistant individuals who meet the requirements of certain provisions of this Act; authorizing the Board to set certain fees; requiring a registered podiatric medical assistant to display a registration in a certain place; requiring a registered podiatric medical assistant to notify the Board, within a certain time period, of certain information regarding felonies or crimes involving moral turpitude; specifying the date on which a registration expires unless the registration is renewed; requiring the Board to send a renewal notice to a registered podiatric medical assistant by certain means; requiring the Board to renew a registration under certain circumstances; requiring a registered podiatric medical assistant to meet certain requirements if a registration is not renewed in a certain time period; authorizing the Board, subject to certain hearing provisions, to take certain actions against certain individuals for violations of certain provisions of law; prohibiting an individual from working, attempting to work, or offering to work as a registered podiatric medical assistant in the State unless registered by the Board; prohibiting an individual from obtaining a registration by making a false representation; specifying that a registration is void under certain circumstances; prohibiting an individual from making certain representations to the public or using certain terms under certain circumstances; specifying that a licensed podiatrist is liable, under certain circumstances, for a violation of a certain provision of this Act committed by a podiatric medical assistant; requiring a licensed podiatrist to report a violation of a certain provision of this Act under certain circumstances and within a certain period of time after the occurrence of the violation; defining certain terms; and generally relating to the registration of podiatric medical assistants.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health Occupations  
Section 16–4A–01 through 16–4A–11 to be under the new subtitle “Subtitle 4A.  
Podiatric Medical Assistants”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 76 – Senator Montgomery**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Volunteer Podiatrist License**

FOR the purpose of authorizing the State Board of Podiatric Medical Examiners to convert certain licenses to volunteer podiatrist licenses and issue volunteer podiatrist licenses to certain individuals if certain requirements are met; requiring that a certain application form include a certain certification by the applicant; requiring that the fees charged by the Board for a volunteer podiatrist license be set lower than the fees charged for licensure to practice podiatry; requiring that a volunteer podiatrist license be clearly designated as a volunteer podiatrist license; authorizing the Board to revoke the license of a volunteer podiatrist under certain circumstances; altering certain definitions; and generally relating to volunteer podiatrist licenses issued by the State Board of Podiatric Medical Examiners.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 16–101, 16–206(b), 16–302, 16–305, and 16–311(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 16–308(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations

Section 16–318.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 84 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Electrology Practice Committee – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Electrology Practice Committee 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 Committee; requiring that an evaluation of the Committee and the statutes and regulations that relate to the Committee be performed on or before a certain date; requiring the State Board of Nursing to submit certain reports to certain committees of the General Assembly on or before certain dates; and generally relating to the Electrology Practice Committee.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–6B–29  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(19)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 89 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners of Psychologists – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Psychologists 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 report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 18–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(55)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 90 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Podiatric 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; and generally relating to the State Board of Podiatric Medical Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–602  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)



BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(52)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

**Senate Bill 108 – Senator Garagiola**

AN ACT concerning

**Business Regulation – State Amusement Ride Safety Advisory Board –  
Membership**

FOR the purpose of altering the membership of the State Amusement Ride Safety Advisory Board; requiring that the composition of the Board as to the race and gender of its members reflect the composition of the population of the State; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 3–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–304  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Economic Matters.

**Senate Bill 117 – Senators Glassman and Rosapepe**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Unannounced Inspections**

FOR the purpose of requiring the State Board of Podiatric Medical Examiners to conduct certain inspections of certain offices of podiatrists against whom a certain complaint has been filed with the Board to determine compliance with the Centers for Disease Control and Prevention's guidelines on universal

precautions; and generally relating to unannounced inspections of the office of a podiatrist.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–205(b)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

## LETTERS OF REASSIGNMENT

### MEMORANDUM

To: Hon. Norman H. Conway, Chairman, APP  
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:

<u>Bill No.</u>	<u>Reassignment</u>
HB 651	ENV

Read and ordered journalized.

## LINCOLN'S DAY ADDRESS

DELEGATE NICHOLAUS R. KIPKE  
Anne Arundel County

Mr. Speaker, Esteemed Members, Family & Friends, & fellow Marylanders:

Tonight I have been asked to honor and commemorate a man who lived and led in a way that left a permanent impression on our world. This man's own sweat, and ultimately his blood, was the glue that held our nation together during our greatest national domestic crisis. He was perhaps the most unlikely character to save our nation, but as it is with so many things in America, our heroes are often the people we would least expect.

Many years ago a baby boy was born in rural Kentucky to poor & uneducated parents. They lived in a rustic one-room log cabin. He had an older sister and three younger brothers. They named the baby Abraham and his father taught him to be a frontiersman mastering carpentry, hunting, and farming. When he was just nine

years old his mother became very ill after drinking a bad batch of milk and died. He also lost his younger brother who died as an infant, and when Abraham was eighteen his older sister, who was just twenty, died giving birth to her first child.

Despite a natural curiosity and intellect, Abe was not afforded the opportunity to receive a formal education. Throughout his life he only managed to spend about one year in a classroom, but he had a passion for learning and read every book he could get his hands on. Abraham once said with a strong Kentucky accent, "*my best friend is someone who'll give me a book I ain't read yet.*" Some of his favorite books included Shakespeare's *Macbeth* and *Hamlet* and he was especially partial to the works of Edgar Allan Poe and the poetry of Oliver Wendell Holmes. He also enjoyed reading the bible, although he described himself to be more spiritual than religious and did not attend church.

As the boy grew into a man, Abraham tended to the family farm and worked odd jobs to earn money for his family. He mastered the land but despite his ability, chose not to hunt because of his love for animals. However, this in no way made him a vegetarian, as he relished chicken casserole, scalloped oysters, and roasts. By age eighteen Abe reached the impressive height of six feet four inches, with long gangly arms and legs. His hands were calloused because he used them as a skilled carpenter and boat-builder. He especially liked to show how well he could swing an ax, where he earned the nickname "The Rail Splitter", because of his ability to split full size logs with just one chop. Emboldened by his physical strength, the confidence he gained by working with his hands, and inspired by what he learned through reading, Abe decided to venture out at twenty-two, leaving the family farm to create a life for himself.

He took a job as a captain for a merchant boat which transported goods and travelers along the Sangamon River in Illinois. The river was so difficult to navigate that he and his crew would regularly need to jump in the water with axes to clear the thick branches and logs that clogged their passage. Abe even travelled as far south as New Orleans along the Mississippi River where his eyes opened to city life and modern innovations, and farms larger than he had ever seen before. After travelling along the rivers for several years, he took up residence in a small Illinois town and was hired to manage the local town store. People there found Abe to be good conversation, witty, and were admittedly intrigued by his unusual looks and height. He became so popular with the locals that they encouraged him to run for office in the state legislature. Abraham was intrigued by this idea; so intrigued that he thought back on ideas he had previously about improving frontier life and about his trips along the Sangamon River. He also recalled the need for a concerted effort to clear the passage to improve commerce, an idea that he wanted to do something about in the Illinois state legislature. But what most influenced his decision to run for office were the trips to New Orleans where he had seen slave auctions for the first time. This vile scene deeply disgusted Lincoln and he was quoted as saying, "*If I ever get a chance to hit that thing, I'll hit it hard.*"

Despite an energetic political campaign and a passionate desire to make a difference, Abe lost this first political campaign. Afterward he and a friend went into business together by opening their own town store. But neither Abraham nor his business partner had any business sense and the store went bankrupt, putting him severely in debt. Fortunately, the next election cycle was upon him. Abraham ran again for the General Assembly and this time won, becoming a State Senator at the age of twenty four. During this time, he had been courting a woman named Ann Rutledge with whom he fell in love, but she took gravely ill and like so many people close to him, she died at a very young age. The next year Abe pursued a woman named Mary Owens and they dated for almost a year. Abraham finally worked up the nerve to ask for her hand in marriage, but he was turned down and the relationship ended. It was reported that he was so heartsick and depressed that he suffered a nervous breakdown.

In his time as a State Senator, Abraham became a vocal abolitionist and supporter of expanding voting rights to women and was reelected handily. At a political gala he met Mary Todd, a socialite from Kentucky. He spoke with her for the first time at a political gala saying, "*Miss Todd, I want to dance with you in the worst way.*" They later married but only after a very turbulent engagement. On their wedding day Abraham never showed up for the ceremony. It is not known why he missed the wedding but the couple worked things out and married. Abe and Mary went on to have four sons together. During the next election Abe ran for the U.S. Congress and won, but did not run for reelection. Instead he applied for a government job in Washington, D.C., however his application was rejected. So Abe went back to campaigning and two years later he filed to be a candidate for the U.S. Senate, but lost the race. During the next election, he mounted a serious campaign to seek the nomination to be his party's candidate for Vice President of the United States, but he was not selected. Abe instead filed as a candidate for the U.S. Senate and lost that race too.

At the age of fifty-two and with decades of personal pain, hard physical labor, and humiliating political losses in the rearview mirror, his experiences all led up to a run for the highest office in our land. Abraham campaigned hard and gained a reputation for being a remarkable speaker. He used wit and humor, innovative political tactics, and even some political trickery to outsmart his opponents. The public was taken aback by his looks and newspapers would regularly comment on his harsh appearance. During a political debate Lincoln's political opponent criticized him for being two faced and distorting his platform. Lincoln quipped back, "*If I had more than one face, don't you think I'd use the other one?*" Lincoln endeared himself to the voters who were intrigued by his persona and he was overwhelmingly elected as President of the United States in 1860.

At the time President Lincoln took office, the Union was crumbling and the Confederate Army was gaining strength. Battles broke out all across the map and within his first year tens of thousands of Union troops were slaughtered by the Confederate Army in battle after battle. As the Civil War raged on officials within President Lincoln's cabinet had become frustrated with Lincoln's regular requests

with Confederate leaders for reconciliation and Lincoln's slow pace to completely abolish slavery. They had no faith in Lincoln's ability to save the Union and were focused on pandering for support from northern voters to ensure a large majority at the next Congressional Election. They did this by creating federal regulations without the President's approval to punish captured Confederate leaders, free slaves, and they called for the complete annihilation of captured Confederate soldiers. Their moves angered southern states and undermined Lincoln's attempts to broker peace. While Lincoln very much believed in the complete emancipation of slaves, he feared that doing so in the midst of an unsettled Civil War might provoke slave owners and in his words, "*increase its evil.*" The President used every executive power at his disposal, stretching the constitution beyond its previous constraints to detain members of his cabinet, Congressmen, and state legislators who did not get right with his plan to save the union. In 1861 he suspended the right of habeas corpus and arrested nine members of this very Maryland House of Delegates who were supporters of the Confederacy. President Lincoln became obsessed with this cause and began calling up many thousands of men to fight in support of the effort. He began a naval blockade in the south to prevent supplies from reaching southern states, hand-selected generals, and made his stance known that he would preserve the Union at any cost.

During his life President Lincoln personally knew much more failure than success. But in the end his perseverance saved our union, ended the civil war, and made America freer by ending slavery. This man was perhaps one of the most unlikely Presidents in our history. He was the first American President elected who lived outside the original colony states, something thought to be impossible at the time. Lincoln was the first to truly rise up from a simple family without political connections, wealth, or formal education. Abe was a self-made, self-educated man. He embodied the American spirit, spending decades swinging an ax, digging in the dirt, and building with his hands. He truly lived the American Dream. Today President Lincoln is remembered by historians, scholars, and so many others to be one of the greatest figures in world history. I think he'd enjoy knowing that even today he is someone with whom all Americans feel united, including polar opposite political figures like President Obama and former Speaker Newt Gingrich, who both credit Lincoln as a source of inspiration and guidance in our current age.

So tonight, in honor of America's great President Abraham Lincoln, who had his own life cut short in service to our nation, let us be mindful of the challenges he faced and the way he overcame all odds to save our nation. Let us recommit ourselves to what he believed in, the full realization of life, liberty, and the pursuit of happiness for every American. Let us remember that it is in the struggles, hard work, and sometimes pain that we are prepared for our true destiny. And in the end we must always remember that, as Abraham Lincoln so eloquently stated, "it is not the number of years in your life that count, it is the life in your years."

*God bless you, and God bless the Great State of Maryland.*

Delegate O'Donnell moved the Delegate'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. 51)

### **ADJOURNMENT**

At 8:32 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 15, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 15, 2011**

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The House met at 10:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jay A. Jacobs of Caroline, Cecil, Kent & Queen Anne's counties.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 52)

The Journal of February 14, 2011 was read and approved.

**EXCUSES:**

Del. Guzzone – illness

Del. Wilson – late – business – court

**INTRODUCTION OF BILLS**

**House Bill 1160 – Delegates Holmes, Hubbard, and Valentino-Smith**

AN ACT concerning

**Creation of a State Debt – Prince George's County – New Horizons Disability  
Job Training and Recycling 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 New Horizons Supported 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; 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 1161 – Delegate McConkey**

AN ACT concerning

**Anne Arundel County Board of Education – Members – Expense  
Reimbursement Procedures and Guidelines**

FOR the purpose of requiring the Anne Arundel County Board of Education to develop and approve, on or before a certain date, certain procedures and guidelines for the reimbursement of board member travel and other expenses; requiring a certain procedure to include certain items; requiring the county board to submit a certain report to the Anne Arundel County Delegation before a certain day; providing for the termination of this Act; and generally relating to development of guidelines by the Anne Arundel County Board of Education.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 53)

**ADJOURNMENT**

At 10:20 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 16, 2011.



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**Annapolis, Maryland**  
**Wednesday, February 16, 2011**

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The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melony Griffith of Prince George's County.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 54)

The Journal of February 15, 2011 was read and approved.

**EXCUSES:**

Del. Bohanan – funeral

Del. Carr – personal – family emergency

Del. Dwyer – business

Del. Impallaria – personal

**INTRODUCTION OF BILLS**

**House Bill 1162 – Delegates Dumais, Barkley, Feldman, A. Miller, Reznik, and S. Robinson**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Discovery Sports Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$60,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Soccer Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1163 – Delegate Love**

AN ACT concerning

**Family Law – Family Child Care – Large Family Child Care Homes**

FOR the purpose of defining a certain family child care home as a residence in which family child care is provided for a certain number of children; repealing a certain provision of law that authorizes child care centers of a certain size; making certain stylistic changes; defining certain terms; requiring the publisher of the Annotated Code to make certain changes to the Code; and generally relating to family child care homes.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–403(b)(3), 5–501, 5–502(b)(3), 5–505(b), 5–550(c) and (d), 5–550.1, 5–551, 5–552, 5–553, 5–554(a), 5–554.1(a), (c), and (e)(1), 5–555(a), (b)(1), and (c), 5–556(a) and (f), 5–556.1, 5–559.1, 5–559.2(b), 5–559.3(b)(2) and (d), 5–559.5(b), 5–560(e)(2), 5–561(b)(2) and (c)(5)(i), 5–564(b)(1)(ii)2., 5–570(c)(3)(iv), 5–573(b), 5–592(b)(5) and (6) and (f)(2), 5–594(c) and (e), 5–594.3(d)(3), 5–1308(c)(3)(v), 6–103(c)(4), and 14–202(a)(3)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1164 – Delegates Haddaway–Ricchio and Eckardt**

AN ACT concerning

**Bay Restoration Fund – Talbot County Demonstration Projects**

FOR the purpose of authorizing the use of certain Bay Restoration funds for certain demonstration projects in Talbot County for the extension of sewer from a publicly owned wastewater facility under certain circumstances; and generally relating to the use of Bay Restoration funds.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a) and (b)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(h)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1165 – Delegates Lafferty and Minnick**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Qualifications**

FOR the purpose of proposing an amendment to the Maryland Constitution to prescribe different qualifications for judges of the Orphans’ Court for Baltimore County; requiring judges of the Orphans’ Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 40

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1166 – Delegates Conway, Cane, and Otto**

AN ACT concerning

**Motor Vehicle Registration – Exception for Golf Carts – City of Crisfield**

FOR the purpose of creating an exception from motor vehicle registration requirements under certain circumstances for golf carts in the City of Crisfield; providing that a person who operates a golf cart on a highway in the City of Crisfield may operate the golf cart only on certain roads at certain times and only if the golf cart is equipped with certain lighting devices; requiring a person who operates a golf cart on a highway in the City of Crisfield to keep as far to the right of the roadway as feasible; and generally relating to an exception to motor vehicle registration requirements for golf carts in the City of Crisfield.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–402(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–402(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Transportation  
Section 21–104.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1167 – Delegates Conway, Cane, McDermott, and Rudolph**

EMERGENCY BILL

AN ACT concerning

**Vehicle Laws – Motor Scooters – Definition**

FOR the purpose of altering the definition of “motor scooter” under the Maryland Vehicle Law; making this Act an emergency measure; and generally relating to the definition of “motor scooter” under the Maryland Vehicle Law.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–134.5  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1201(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1168 – Delegate Eckardt**

AN ACT concerning

**Employees' Retirement and Pension Systems – Reemployment of Retirees –  
Health Care Practitioners**

FOR the purpose of repealing the termination provision applicable to certain reemployment of retirees in the Employees' Retirement and Pension Systems; and generally relating to the reemployment of retirees in the Employees' Retirement and Pension Systems.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(4)(viii) and 23–407(c)(4)(vi)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 473 of the Acts of the General Assembly of 2009  
Section 2

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1169 – Delegates Conway, Cane, and Otto**

AN ACT concerning

**Courts – Testimony by Spouses – Central Registry of Records of Refusals**

FOR the purpose of requiring the clerk of the court, when making a certain record of the refusal of a spouse to testify in a certain assault trial, to forward a copy of the record to the Administrative Office of the Courts, including certain information; requiring the Administrative Office of the Courts to maintain a certain central registry of records relating to the refusal of the spouse to testify; providing that a certain record is not subject to expungement; limiting the authority to inspect the information contained in the central registry to certain individuals; requiring certain statistical data to be available to certain organizations for certain purposes; prohibiting certain information from being included in certain statistical data; and generally relating to the making of a record of a refusal of a spouse to testify in certain assault trials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 9–106  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1170 – Delegate Serafini**

AN ACT concerning

**State Retirement and Health Benefits Reporting Transparency Act**

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to prepare certain reports that include certain information concerning the investments and funded status of the several systems of the State Retirement and Pension System; requiring the Board of Trustees to send certain reports in a certain manner to certain individuals and media outlets; limiting the amount the Board of Trustees may spend to prepare certain reports; and generally relating to the Board of Trustees reporting information about the several systems of the State Retirement and Pension System.

BY adding to

Article – State Personnel and Pensions  
Section 21–125.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1171 – Delegate Davis**

AN ACT concerning

**Electric Companies – Electrical Service Restoration Plan**

FOR the purpose of requiring, on or before a certain date each year, an electric company to submit a certain electrical service restoration plan to the Public Service Commission for a certain purpose; requiring the plan to address certain matters; requiring the Commission to review the plan and take certain actions; requiring, on or before a certain date each year, the Commission to issue final approval of the plan; requiring the Commission to use all powers and authority to enforce this Act; and generally relating to the creation of an electrical service restoration plan.

BY adding to

Article – Public Utilities  
Section 7–213  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1172 – Delegate Conaway**

AN ACT concerning

**Vehicle Laws – Red Light and Speed Monitoring Systems – Emergency Vehicles**

FOR the purpose of providing that certain images of an emergency vehicle recorded by a traffic control signal monitoring system, a speed control monitoring system, or a work zone speed control system may not be the basis for a civil penalty or the issuance of a citation under certain provisions of law; and generally relating to emergency vehicles and traffic control signal monitoring systems, speed control monitoring systems, and work zone speed control systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–202.1(a)(4) and (5), 21–809(a)(4) and (5), and 21–810(a)(4) and (7)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–202.1(d), 21–809(c), and 21–810(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1173 – Delegate Conaway**

AN ACT concerning

**Motor Vehicles – Seatbelts – Exception for Law Enforcement Officers**

FOR the purpose of providing that certain provisions of law requiring seat belt use do not apply to a law enforcement officer, under certain circumstances; making a certain stylistic change; and generally relating to law enforcement officers and the use of seat belts.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–412.3

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1174 – Delegates Mitchell, Vallario, and Conaway**

AN ACT concerning

**Correctional Services – Revocation of Parole – Reimposition of Sentence**

FOR the purpose of altering a provision relating to the revocation of a parole order so as to authorize the parole commissioner who conducted the hearing on the revocation of an inmate's order of parole to require the inmate to serve any unserved portion of the sentence originally imposed on the inmate; and generally relating to the revocation of parole.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–401 and 7–403(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1175 – Delegates Barkley and Davis**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipment**

FOR the purpose of repealing provisions that provide for a direct wine seller's permit; establishing a direct wine shipper's permit to be issued by the Office of the Comptroller; authorizing the Office to issue a common carrier permit to certain persons; specifying a certain common carrier permit fee; requiring a person to be licensed before the person may engage in shipping wine directly to a direct wine consumer in the State; requiring an applicant to meet certain qualifications for a direct wine shipper's permit, submit an application and a copy of its current alcoholic beverages license or proof of the applicant's status to the Office, and pay a certain fee; specifying the term of a direct wine shipper's permit; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from shipping more than a certain amount of wine each year to any one consumer or making deliveries on Sunday; requiring a direct wine shipper to meet certain requirements to renew the permit; authorizing the Office to deny a renewal application under certain circumstances; specifying certain requirements for receiving a direct shipment of wine; requiring a



common carrier to make a certain report; requiring certain persons to maintain certain records for a certain period; allowing a shipment of wine to be ordered or purchased through electronic or other means; authorizing the Office to adopt certain regulations; prohibiting a person without a permit from shipping wine directly to consumers in the State; providing that each violation of certain provisions is a separate violation, subject to certain penalties; providing for the application of certain provisions concerning delivery of alcoholic beverages; requiring a certain security to be posted under certain circumstances; defining certain terms; making certain technical corrections; altering a certain definition; making the provisions of this Act severable; and generally relating to the establishment of a direct wine shipper's permit.

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 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i) and (g), 9–102(a), 12–301, 14–202, and 15–204(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(y); and 7.5–101 through 7.5–114 to be under the new title “Title 7.5. Direct Wine Shipper’s Permit”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 16–503

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 5–101(a)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–101(f), 5–201(d), and 13–825(b)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 13–825(i)  
Annotated Code of Maryland  
(2010 Replacement Volume)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1176 – Delegate Fisher**

AN ACT concerning

#### **Study of the Privatization of the Intercounty Connector or Segments of the Intercounty Connector**

FOR the purpose of requiring the Department of Legislative Services to contract with an independent consultant to conduct a certain study regarding the sale or lease of the Intercounty Connector (ICC) or segments of the ICC to a private entity in exchange for the entity's right to collect certain tolls; requiring the consultant to consult with certain persons; requiring the consultant to issue a report by a certain date; providing for the termination of this Act; and generally relating to a study of the privatization of the ICC or segments of the ICC.

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1177 – Delegate Stein**

AN ACT concerning

#### **Residential Property – Foreclosure Process – Commencement**

FOR the purpose of authorizing a secured party to petition a circuit court for leave to immediately commence an action to foreclose a mortgage or deed of trust under certain circumstances; and generally relating to the commencement of an action to foreclose residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1(b)(2)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1178 – Delegates Tarrant, Kach, Bromwell, Krebs, Murphy, Reznik, and Walker**

AN ACT concerning

**Health Insurance – Public Health Plans – Education and Disclosure Requirements**

FOR the purpose of requiring that, in the case of an applicant for a license as an insurance producer for health insurance, a certain program of studies shall include a course designed to familiarize the applicant with certain public health plans available to residents of the State; requiring certain applicants to pass a certain examination to determine the familiarity of the applicant with certain public health plans; requiring certain insurance producers to receive continuing education that directly relates to certain public health plans; requiring a licensed insurance producer to provide to a certain small employer information about certain public health plans on a certain form and at a certain time; requiring a certain small employer, under certain circumstances, to agree to provide information about certain public health plans on a certain form and to certain employees; defining a certain term; and generally relating to education and disclosure requirements relating to public health plans.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 10–101(a), 10–105(e)(1), and 10–116(a)(1) and (4)(i)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 10–101(h–1), 10–105(e)(5), and 10–116(a)(4)(v)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–109(b)(1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Insurance  
Section 15–1206(h)  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1209(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1179 – Delegates Gaines, Healey, and Ross**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Greenbelt Arts Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Greenbelt Cultural Arts Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1180 – Delegate Barkley**

AN ACT concerning

#### **Department of Health and Mental Hygiene – Certificates of Foreign Birth – IH–3 Visa**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, on request, to prepare and register a certificate of foreign birth for certain individuals who have been granted an IH–3 visa by the United States Immigration and Naturalization Service; requiring the certificate to be established on receipt of certain documents, including proof of IH–3 visa status; making stylistic changes; and generally relating to certificates of foreign birth prepared and registered by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–211(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

### **House Bill 1181 – Delegate Braveboy**

AN ACT concerning

### **Real Estate Appraisal Management Companies – Registration and Regulation**

FOR the purpose of requiring certain persons to register as appraisal management companies with the State Commission of Real Estate Appraisers and Home Inspectors; requiring an appraisal management company's registration to include certain information in a certain form; establishing that a registration is valid for a certain period of time; requiring the Commission to collect a certain national registry fee from appraisal management companies; requiring a person applying for registration to complete a certain consent to service of process; requiring the Commission to set certain fees by regulation; requiring the Commission to publish a certain fee schedule; requiring the Commission to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to a certain fund; prohibiting a person applying for registration from being owned by certain persons; requiring the owner of an appraisal management company to meet certain requirements; requiring a certain individual to serve as a main contact for communication between the Commission and an appraisal management company; prohibiting an appraisal management company from engaging in certain activities relating to employees; requiring an appraisal management company to verify that an appraiser is a competent appraiser before assigning certain work; requiring certain individuals that perform an appraisal review to hold a certain license or certificate; prohibiting an appraisal management company from entering into certain agreements with an appraiser in conjunction with federally related transactions unless the company verifies certain qualifications; requiring a person applying for registration to make a certain certification concerning its record keeping; requiring an appraisal management company to retain certain records for a certain period of time; prohibiting an appraisal management company from handling certain fees and certain compensation in a certain manner; requiring an appraisal management company to ensure that appraisals are conducted in a certain manner; prohibiting an individual working on behalf of an appraisal management company from engaging in certain activities; requiring an appraisal management company to inform the Commission when the company has a reasonable basis to believe that an appraiser is behaving in a certain manner; designating certain conduct as unprofessional; requiring an appraisal management company to pay an appraiser for certain work within a certain period of time under certain circumstances; prohibiting an appraisal management company from changing a completed appraisal report in a certain manner; establishing guidelines for the use of an appraiser's digital signature or

seal; requiring the Commission to issue certain registration numbers; requiring the Commission to publish an annual list of appraisal management companies; requiring an appraisal management company to disclose certain registration information in a certain manner; prohibiting an appraisal management company from taking certain actions relative to an appraiser under certain circumstances without providing certain notice and opportunity to respond; authorizing an appraiser that is removed from an appraisal panel for certain reasons to file a certain complaint with the Commission for certain review; requiring the Commission to adjudicate a complaint within a certain period of time; establishing certain grounds for denying a registration or reprimanding, suspending, or revoking the registration of an appraisal management company; establishing certain penalties; altering provisions relating to commencement of Commission proceedings and hearings; authorizing the Commission to adopt certain regulations; requiring that a certain evaluation of the law and regulations concerning the registration and regulation of real estate appraisal management companies be performed on or before a certain date; establishing the Appraisal Management Company Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; requiring that the Fund be used for certain purposes; providing for an audit of the Fund; requiring the Secretary of Labor, Licensing, and Regulation, or a designee of the Secretary, to administer the Fund; requiring the Secretary, in consultation with the Commission, to calculate annually certain costs; requiring the Commission to set certain fees, based on certain calculations; prohibiting certain fees from increasing more than a certain amount each year; defining certain terms; and generally relating to the registration and regulation of real estate appraisal management companies.

BY adding to

Article – Business Occupations and Professions  
Section 16–5B–01 through 16–5B–19 to be under the new subtitle “Subtitle 5B.  
Real Estate Appraisal Management Companies”; and 16–701.2  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 16–601 and 16–602  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Business Regulation  
Section 2–106.7 and 2–106.8  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
 Section 8–403(b)  
 Annotated Code of Maryland  
 (2009 Replacement Volume and 2010 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

**House Bill 1182 – Delegate Pendergrass**

AN ACT concerning

**Certificates of Need – Percutaneous Coronary Intervention Services**

FOR the purpose of prohibiting a hospital, notwithstanding any other provision of law, from establishing a percutaneous coronary intervention (PCI) program or providing PCI services, unless the hospital was operating a PCI program on a certain date through a certain certificate of need or a certain waiver; requiring the Maryland Health Care Commission, on or before a certain date, to develop and report recommendations for statutory changes relating to PCI services; providing for the termination of this Act; and generally relating to percutaneous coronary intervention and certificates of need.

Read the first time and referred to the Committee on Rules and Executive Nominations.

**LETTERS OF REASSIGNMENT**

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:

<u>Bill No.</u>	<u>Reassignment</u>
HB 537	ENV and ECM

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:

<u>Bill No.</u>	<u>Reassignment</u>
HB 592	ENV and ECM

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:

<u>Bill No.</u>	<u>Reassignment</u>
HB 942	ENV and ECM

Read and ordered journalized.

#### QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 55)

#### ADJOURNMENT

At 10:26 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 17, 2011.