

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2011 Regular Session**

**Volume I**

Compiled and edited by:

Donald G. Hopkins  
Journal Clerk

...

William B.C. Addison, Jr.  
Secretary of the Senate

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

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The Senate met at 11:59 A.M.

Call to Order by the Secretary of the Senate, William B.C. Addison

Prayer by Reverend Monsignor W. Roland Jameson, Cathedral of St. Matthew the Apostle, guest of Senator Miller.

(See Exhibit A of Appendix III)

STATE OF MARYLAND, TO WIT:

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

Present at the roll call were the following Senators:

District 1	–	Allegany, Garrett and Washington George C. Edwards
District 2	–	Washington Christopher Shank
District 3	–	Frederick and Washington Ron Young
District 4	–	Frederick and Carroll David R. Brinkley
District 5	–	Carroll and Baltimore Joseph Getty
District 6	–	Baltimore County Norman R. Stone, Jr.
District 7	–	Baltimore and Harford J.B. Jennings
District 8	–	Baltimore County Katherine A. Klausmeier
District 9	–	Howard and Carroll Allan H. Kittleman
District 10	–	Baltimore County Delores G. Kelley
District 11	–	Baltimore County Robert A. Zirkin

District 12	–	Baltimore County and Howard Edward J. Kasemeyer
District 13	–	Howard James N. Robey
District 14	–	Montgomery Karen S. Montgomery
District 15	–	Montgomery Robert J. Garagiola
District 16	–	Montgomery Brian E. Frosh
District 17	–	Montgomery Jennie M. Forehand
District 18	–	Montgomery Richard S. Madaleno, Jr.
District 19	–	Montgomery Roger Manno
District 20	–	Montgomery Jamie Raskin
District 21	–	Prince George’s and Anne Arundel James Rosapepe
District 22	–	Prince George’s Paul G. Pinsky
District 23	–	Prince George’s Douglas J.J. Peters
District 24	–	Prince George’s Joanne C. Benson
District 25	–	Prince George’s Ulysses Currie
District 26	–	Prince George’s C. Anthony Muse
District 27	–	Prince George’s and Calvert Thomas V. Mike Miller, Jr.
District 28	–	Charles Thomas Mac Middleton
District 29	–	Calvert, Charles and St. Mary’s Roy P. Dyson
District 30	–	Anne Arundel John C. Astle
District 31	–	Anne Arundel Bryan W. Simonaire
District 32	–	Anne Arundel James E. DeGrange, Sr.
District 33	–	Anne Arundel Edward Reilly
District 34	–	Harford and Cecil Nancy Jacobs
District 35	–	Harford

District 36	–	Barry Glassman Kent, Queen Anne’s, Cecil and Caroline E.J. Pipkin
District 37	–	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	–	Somerset, Wicomico and Worcester James N. Mathias, Jr.
District 39	–	Montgomery Nancy J. King
District 40	–	Baltimore City Catherine E. Pugh
District 41	–	Baltimore City Lisa A. Gladden
District 42	–	Baltimore County James Brochin
District 43	–	Baltimore City Joan Carter Conway
District 44	–	Baltimore City Verna L. Jones–Rodwell
District 45	–	Baltimore City Nathaniel J. McFadden
District 46	–	Baltimore City Bill Ferguson
District 47	–	Prince George’s Victor Ramirez

Forty–seven Senators having answered to their names, the Secretary announced that a quorum being present, the Senate of Maryland, 2011 Session is now ready for the transaction of business.

The first order of business was the swearing in of the Senators elect by the Secretary of the Senate.

All 47 Senators received the oath of office and took their seats. All of the Senators received their Certificate of Election.

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

The Honorable Joan Carter–Conway nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable Thomas Middleton and the Honorable Jamie Raskin. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 3)

The Honorable Catherine E. Pugh and the Honorable David R. Brinkley were appointed to escort the President Pro Tem to the Chair.

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

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

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

The Honorable Edward J. Kasemeyer, seconded by the Honorable Brian E. Frosh and the Honorable Verna Jones–Rodwell, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

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

The roll call vote resulted as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 4)

The Honorable Robert J. Garagiola and the Honorable Allan H. Kittleman were appointed to escort the President to the Chair.

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

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

Introduction and Remarks by Lieutenant Governor Anthony Brown

Introduction and Remarks by Governor Martin O'Malley

Introduction and Remarks by United States Senator Barbara Mikulski

Introduction and Remarks by United States Senator Benjamin Cardin

Introduction of Honored Guests

## ORDERS

January 12, 2011



## ORDER

BY THE MAJORITY LEADER:

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2011, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Regular Legislative Session of 2010.

The rules with the exception of Rule 116 were adopted.

Senator Klausmeier moved to make Rule 116 a Special Order until January 20, 2011.

The motion was adopted.

January 12, 2011

## ORDER

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2011:

Secretary of the Senate	–	William B.C. Addison, Jr.
Assistant to the Secretary	–	Melissa A. Ross
Assistant to the Secretary	–	Nicole M. Xander
Journal Clerk	–	Donald G. Hopkins
Assistant Journal Clerk	–	Dorothy D. Chaney
Reading Clerk	–	Lynne B. Porter
Proceedings Clerk	–	Johanne H. Greer
Chief Page	–	Donna L. Horgan

Read and adopted by roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 5)

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

Affirmative – 47      Negative – 0      (See Roll Call No. 6)

January 12, 2011

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Regular Legislative Session of 2011, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

Read and adopted.

January 12, 2011

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2011, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

Read and adopted.

ANNOUNCEMENT

January 12, 2011

The President makes the following announcement:

Majority Leader –	Senator Robert J. Garagiola
Deputy Majority Leader –	Senator Catherine E. Pugh
Assistant Deputy Majority Leader –	Senator James N. Robey
Majority Whip –	Senator Lisa A. Gladden
Deputy Majority Whip –	Senator James C. Rosapepe
Assistant Deputy Majority Whip –	Senator Nancy J. King

Read and ordered journalized.

**ANNOUNCEMENT**

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 12, 2011.

**BUDGET AND TAXATION**

Senator Edward J. Kasemeyer, Chairman  
Senator Nathaniel J. McFadden, Vice–Chairman

Senator David R. Brinkley  
Senator Richard F. Colburn  
Senator Ulysses Currie  
Senator James E. DeGrange, Sr.  
Senator George C. Edwards  
Senator Verna L. Jones–Rodwell

Senator Nancy J. King  
Senator Richard S. Madaleno, Jr.  
Senator Roger Manno  
Senator Douglas J.J. Peters  
Senator James N. Robey

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE**

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

Senator Joanne C. Benson  
Senator Bill Ferguson  
Senator J.B. Jennings  
Senator Karen S. Montgomery  
Senator Paul G. Pinsky

Senator Edward R. Reilly  
Senator James C. Rosapepe  
Senator Bryan W. Simonaire  
Senator Ronald N. Young

**FINANCE COMMITTEE**

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

Senator Robert J. Garagiola  
Senator Barry Glassman  
Senator Delores G. Kelley  
Senator Allan H. Kittleman  
Senator Katherine Klausmeier

Senator James N. Mathias, Jr.  
Senator C. Anthony Muse  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JUDICIAL PROCEEDINGS COMMITTEE**

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

Senator James Brochin  
 Senator Joseph M. Getty  
 Senator Jennie M. Forehand  
 Senator Nancy Jacobs  
 Senator Victor R. Ramirez

Senator Jamie B. Raskin  
 Senator Christopher B. Shank  
 Senator Norman R. Stone, Jr.  
 Senator Robert A. Zirkin

**RULES COMMITTEE**

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

Senator David R. Brinkley  
 Senator Richard F. Colburn  
 Senator Ulysses Currie  
 Senator Roy P. Dyson  
 Senator George C. Edwards

Senator Edward J. Kasemeyer  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.

**ANNOUNCEMENT**

The President makes the following appointments to continuing committees pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 12, 2011.

**EXECUTIVE NOMINATIONS**

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

Senator David R. Brinkley  
 Senator Joan Carter Conway  
 Senator Richard F. Colburn  
 Senator Ulysses Currie  
 Senator George C. Edwards  
 Senator Jennie M. Forehand  
 Senator Brian E. Frosh  
 Senator Robert J. Garagiola

Senator Edward J. Kasemeyer  
 Senator Allan H. Kittleman  
 Senator Katherine Klausmeier  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.  
 Senator E.J. Pipkin  
 Senator Norman R. Stone, Jr.

**ANNOUNCEMENT**

The President makes the following appointments to the statutory committees and joint committees; the appointments are effective as of January 12, 2011.

**LEGISLATIVE POLICY COMMITTEE**

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

Senator John C. Astle  
Senator David R. Brinkley  
Senator Joan Carter Conway  
Senator Richard Colburn  
Senator Ulysses Currie  
Senator James E. DeGrange, Sr.  
Senator Brian E. Frosh

Senator Robert J. Garagiola  
Senator Edward J. Kasemeyer  
Senator Allan H. Kittleman  
Senator Nathaniel J. McFadden  
Senator Thomas M. Middleton  
Senator Norman R. Stone, Jr.

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

Senator Paul G. Pinsky, Senate Chairman

Senator John C. Astle  
Senator David R. Brinkley  
Senator James Brochin  
Senator Richard F. Colburn  
Senator Jennie M. Forehand

Senator Lisa A. Gladden  
Senator Allan H. Kittleman  
Senator Norman R. Stone, Jr.  
Senator Robert A. Zirkin

**JOINT AUDIT COMMITTEE**

Senator James Rosapepe, Senate Chairman

Senator John C. Astle  
Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Jennie M. Forehand

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JOINT COMMITTEE ON BASE REALIGNMENT AND CLOSURE**

Senator Roy P. Dyson, Senate Chairman

Senator James E. DeGrange, Sr.

Senator Richard S. Madaleno, Jr.

Senator Nancy Jacobs  
Senator Allan H. Kittleman  
Senator Katherine Klausmeier

Senator Douglas J. J. Peters  
Senator James C. Rosapepe

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

Senator Roy P. Dyson, Senate Chairman

Senator Richard F. Colburn  
Senator E.J. Pipkin

Senator Jamie Raskin  
Senator Bryan W. Simonaire

**JOINT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES**

Senator Nancy J. King, Senate Chairman

Senator Joanne C. Benson  
Senator Joan Carter Conway  
Senator Bill Ferguson  
Senator Jennie M. Forehand  
Senator Nancy Jacobs

Senator Verna L. Jones–Rodwell  
Senator Allan H. Kittleman  
Senator Karen S. Montgomery  
Senator Edward R. Reilly

**JOINT COMMITTEE ON FAIR PRACTICES AND STATE PERSONNEL  
OVERSIGHT**

Senator C. Anthony Muse, Senate Chairman

Senator Roy P. Dyson

Senator Barry Glassman

**JOINT COMMITTEE ON FEDERAL RELATIONS**

Senator Jennie M. Forehand, Senate Chairman

Senator Robert J. Garagiola  
Senator Verna L. Jones–Rodwell  
Senator Roger Manno  
Senator Douglas J.J. Peters

Senator Jamie Raskin  
Senator James C. Rosapepe  
Senator Christopher Shank

**JOINT COMMITTEE ON HEALTH CARE DELIVERY AND FINANCING**

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

Senator Edward J. Kasemeyer  
Senator Roger Manno  
Senator C. Anthony Muse

Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JOINT INFORMATION TECHNOLOGY AND BIOTECHNOLOGY  
COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator Ulysses Currie  
Senator Jennie M. Forehand

Senator Robert J. Garagiola  
Senator E.J. Pipkin

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

Senator J.B. Jennings  
Senator Richard S. Madaleno, Jr.

Senator James C. Rosapepe

**JOINT COMMITTEE ON LEGISLATIVE ETHICS**

Senator Norman R. Stone, Jr., Senate Chairman

Senator David R. Brinkley  
Senator Roy P. Dyson  
Senator Joseph M. Getty

Senator Nathaniel J. McFadden  
Senator Jamie Raskin

**JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS**

Senator Verna L. Jones–Rodwell, Senate Chairman

Senator Ulysses Currie  
Senator Jennie M. Forehand

Senator Edward R. Reilly

**JOINT COMMITTEE ON ACCESS TO MENTAL HEALTH SERVICES**

Senator Douglas J.J. Peters, Senate Chairman

Senator Richard Colburn  
Senator Joan Carter Conway

Senator Robert J. Garagiola  
Senator Karen S. Montgomery

**JOINT COMMITTEE ON PENSIONS**

Senator Verna L. Jones–Rodwell, Chairman

Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Edward J. Kasemeyer

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator James N. Robey

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards  
Senator Barry Glassman

Senator James N. Mathias, Jr.  
Senator Ron Young

**JOINT COMMITTEE ON PROTOCOL**

Senator Jennie M. Forehand, Senate Co–Chairman  
Senator Nancy Jacobs, Senate Co–Chairman

Senator James E. DeGrange, Sr.

Senator Katherine Klausmeier

**JOINT COMMITTEE ON SPENDING AFFORDABILITY**

Senator James E. DeGrange, Sr., Senate Chairman

Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Robert J. Garagiola  
Senator Edward J. Kasemeyer

Senator Allan H. Kittleman  
Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator Thomas M. Middleton  
Senator Thomas V. Mike Miller, Jr.

**JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT**



Senator Thomas M. Middleton, Senate Chairman

Senator Barry Glassman

Senator Delores G. Kelley

**JOINT COMMITTEE ON WELFARE REFORM**

Senator Lisa A. Gladden, Senate Chairman

Senator Joanne C. Benson

Senator E.J. Pipkin

Senator Bill Ferguson

Senator Victor Ramirez

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

Senator Katherine Klausmeier, Senate Chairman

Senator Allan H. Kittleman

Read and ordered journalized.

**ANNOUNCEMENT**

January 12, 2011

The Senate Minority Caucus met on November 30, 2010 for the purpose of electing the Minority floor leaders for the 2011 Legislative Session. The following members have been selected:

Minority Leader: Honorable Allan H. Kittleman – District 9

Minority Whip: Honorable David R. Brinkley – District 4

Read and ordered journalized.

**MESSAGE FROM THE HOUSE**

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 ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

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 adopted.

### MESSAGE TO THE EXECUTIVE

January 12, 2011

By the Majority Leader,

His Excellency, the Governor of Maryland  
Martin O'Malley:

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

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

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

Read and adopted.

### MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

January 12, 2011

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, Maryland 21401

Dear President Miller:

In accordance with Article II, § 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2010 Recess of the General Assembly. I am confident you will find these individuals to be well qualified for their respective offices and deserving of your support for appointment confirmation.

Sincerely,

Governor

**GUBERNATORIAL RECESS APPOINTMENTS TO STATEWIDE BOARDS  
REQUIRING SENATE CONFIRMATION  
2011 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON

Najah K. Duvall–Gabriel 6006 43rd Avenue Hyattsville, Maryland 20781 Prince George's/22	Appointment Member Remainder of a term of four years from July 1, 2010
AIRPORT ZONING APPEALS, BOARD OF	
Manuel R. Geraldo, Esq. 802 Swan Creek Road Fort Washington, Maryland 20744 Prince George's/26	Appointment At Large Remainder of a term of 4 years from July 1, 2008
APPEALS, COURT OF SPECIAL	
Hon. Michele Denise Hotten 361 Rowe Boulevard Annapolis, Maryland 21401 Prince George's/25	Appointment Judge Term of 10 years from August 17, 2010
Hon. Shirley Watts 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore City/43	Appointment Judge Term of 10 years from January 27, 2010
ARCHITECTS, STATE BOARD OF	
Magda C. Westerhout 10 Longwood Road Baltimore, Maryland 21210 Baltimore City/41	Appointment Architect Term of 5 years from July 1, 2010
William N. Parham, Jr. 594 Pinedale Drive Annapolis, Maryland 21401 Anne Arundel/33	Appointment Consumer Remainder of a term of 5 years from July 1, 2009
ARCHITECTURAL REVIEW, STATE BOARD	
Edward A. Masek, Jr. 124 St. Andrews Road Severna Park, Maryland 21146 Anne Arundel/33	Reappointment Member Term of 4 years from July 1, 2010
William T. Baker, Jr. 1311 Vanderbilt Road Bel Air, Maryland 21014 Harford/35	Appointment Engineer Term of 4 years from July 1, 2010
Carol D. Macht 1409 Walnut Hill Lane Baltimore, Maryland 21204 Baltimore County/42	Reappointment Landscape Architect Term of 4 years from July 1, 2010

Steven G. Ziger 4419 Wickford Road Baltimore, Maryland 21210 Baltimore City/40	Reappointment Architect Term of 4 years from July 1, 2010
James E. Louviere 9911 Markham Street Silver Spring, Maryland 20901 Montgomery/18	Reappointment Architect Term of 4 years from July 1, 2010
Susan Hains 6921 Winterberry Lane Bethesda, Maryland 20817 Montgomery/16	Reappointment Architect Term of 4 years from July 1, 2010
Edward C. Kohls 13011 Dover Road Reisterstown, Maryland 21136 Baltimore County/05	Reappointment Architect Term of 4 years from July 1, 2010
ARTS COUNCIL, MARYLAND STATE	
Eric A. Conway 2 Timberpark Court Lutherville, Maryland 21093 Baltimore County/07	Appointment Member Remainder of a term of 3 years from July 1, 2009
ASSISTIVE TECHNOLOGY GUARANTEED LOAN PROGRAM BOARD OF DIRECTORS	
Joshua L. Friedman 3022 Temple Gate Road Baltimore, Maryland 21209 Baltimore City/41	Appointment Finance Expertise Term of 4 years from October 1, 2007
Regina V. Lee–Byrd 7825 Mandan Road, #104 Greenbelt, Maryland 20770 Prince George's/22	Appointment Disability Community Remainder of a term of 4 years from October 1, 2007
BLIND INDUSTRIES AND SERVICES OF MARYLAND, BOARD OF TRUSTEES OF	
Carolyn Hess Johnson, Esq. 2700 Mercer Drive Baldwin, Maryland 21013 Harford/35	Appointment Member Term of 3 years from July 1, 2008
BOILER RULES, BOARD OF	
Brian M. Wodka 808 Walker Station Court Parkton, Maryland 21120 Baltimore County/05	Appointment Owner/User of Power Boilers Remainder of a term of 4 years from January 1, 2010

Eric Harvey 9851 Bantry Road Easton, Maryland 21601 Talbot/37	Appointment Owner/User of Agricultural, Model or Historical Steam Engine Equipment Remainder of a term of 4 years from January 1, 2010
CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY	
John F. Bowman, II, Ph.D. 14108 Royal Oak Drive, SW Cumberland, Maryland 21502 Allegany/01	Appointment Member Remainder of a term of 4 years from June 1, 2009
CHESAPEAKE CONSERVATION CORPS PROGRAM BOARD	
Lisa Toni Clark 6151 South Steamboat Way New Market, Maryland 21774 Frederick/04	Appointment Not-for-Profit Sector – Education/Student Service Term to expire June 30, 2015
Robert L. Wallace 6360 Guilford Road Clarksville, Maryland 21201 Howard/13	Appointment Workforce Development Term to expire June 30, 2015
John Maounis 1400 Lancaster Street, Unit 901 Baltimore, Maryland 21231 Baltimore City/46	Appointment Member Term to expire June 30, 2014
Maureen K. Eccleston 6014 Bellona Avenue Baltimore, Maryland 21201 Baltimore City/43	Appointment Member Term to expire June 30, 2013
Amy Owsley 304 Elm Avenue Easton, Maryland 21601 Talbot/37	Appointment Member Term to expire June 30, 2012
Margaret A. Palmer, Ph.D. 3454 Merrimac Road Davidsonville, MD 21035 Anne Arundel/33	Appointment Appointed by the Chancellor of the University System of Maryland Term to expire June 30, 2014
CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND	
Eric D. Wachsman 9469 Lovat Road Fulton, Maryland 20759 Howard/13	Appointment Non-Profit Clean Energy Research Remainder of a term to expire June 30, 2011

George Earl Ashton, III 530 Anderson Avenue Rockville, Maryland 20850 Montgomery/17	Appointment General Public Remainder of a term to expire June 30, 2012
CONSUMER COUNCIL	
Jessica R. Contreras 3706 Delverne Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Consumer Group Remainder of a term of 6 years from July 1, 2006
Kendra Watts Abaidoo 3319 Sequoia Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Business Group Remainder of a term of 6 years from July 1, 2006
CONTRACT APPEALS, MARYLAND STATE BOARD OF	
Ann Marie Doory 112 Taplow Road Baltimore, Maryland 21212 Baltimore City/43	Appointment Member Term of 5 years from February 1, 2009
CRIMINAL INJURIES COMPENSATION BOARD	
Cynthia A. Pease 137 Clarence Avenue Severna Park, Maryland 21146 Anne Arundel/33	Appointment Member Term of 5 years from July 1, 2010
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL FOR THE	
Robin Underwood 311 Pine Orchard Lane, #202 Ellicott City, Maryland 21042 Howard/09	Appointment MDOT Remainder of a term of 3 years from October 1, 2007 and a term of 3 years from October 1, 2010
Sara K. Muempfer 36 North Prospect Avenue Catonsville, Maryland 21228 Baltimore County/10	Appointment DLLR Remainder of a term of 3 years from October 1, 2008
John J. Rouse 781 Kimberly Court West Gaithersburg, Maryland 20878 Montgomery/17	Reappointment DHCD Term of 3 years from October 1, 2010
Lisa E. Flynn 8100 Glendale Drive Frederick, Maryland 21702 Frederick/03	Appointment Maryland School for the Deaf Remainder of a term of 3 years from October 1, 2009

Cheri Dowling 1205 Ed Glenn Drive Woodbine, Maryland 21797 Carroll/09	Reappointment Parent of a Deaf Child Term of 3 years from October 1, 2010
Amy L. Bopp 5211 Old Frederick Road Baltimore, Maryland 21229 Baltimore County/10	Reappointment Hearing Impaired Term of 3 years from October 1, 2010
Jennifer R. Whitcomb 9275 Tournament Drive Delmar, Maryland 21875 Wicomico/37	Reappointment Private Citizen – Knowledge/Expertise Term of 3 years from October 1, 2010
Dakota Burgess 3605 W. Saratoga Street Baltimore, Maryland 21229 Baltimore City/41	Appointment Aging Remainder of a term of 3 years from October 1, 2008
Ann C. Black 16 Clemson Court Rockville, Maryland 20850 Montgomery/17	Appointment Knowledge/Expertise – Deafblind Term of 3 years from October 1, 2010
DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE	
Sandra N. Harriman 7335 Brookview Road, Unit 106 Elkridge, Maryland 21075 Howard/13	Reappointment Member Term of 6 years from October 1, 2009
David Anthony Martin 504 Elm Street Frederick, Maryland 21701 Frederick/03	Appointment Member Term of 6 years from October 1, 2009
Constance Woodruff 8729 Endless Ocean Way Columbia, Maryland 21045 Howard/13	Reappointment Member Term of 6 years from October 1, 2009
Charles E. Poyer, Jr. 5400 Vantage Point Road Columbia, Maryland 21044 Howard/12	Reappointment Member Term of 6 years from October 1, 2009
John P. Ertel, Ph.D. 16 Sharpe Road Annapolis, Maryland 21401 Anne Arundel/30	Reappointment Member Term of 6 years from October 1, 2008
Sheryl B. Cooper, Ph.D. 2002 Myrtlewood Road Baltimore, Maryland 21209 Baltimore County/42	Appointment Member Remainder of a term of 6 years from October, 1, 2008



Ricardo A. Hernandez 9828 Canal Road Montgomery Village, Maryland 20866 Mongtomery/39	Appointment Member Remainder of a term of 6 years from October, 1, 2008
Laurie M. Corcoran 32655 Meadowlark Lane Easton, Maryland 21601 Talbot/37	Reappointment Member Term of 6 years from October 1, 2008
DENTAL EXAMINERS, STATE BOARD OF	
Evie Adams Simmons 155 Potomac Passage, Unit 612 National Harbor, Maryland 20745 Prince George's/26	Appointment Consumer Remainder of a term of four years from June 1, 2009
DIETETIC PRACTICE, STATE BOARD OF	
Lauren I. Mirkin 2520 Willow Glen Drive Baltimore, Maryland 21209 Baltimore County/42	Appointment Nutritionist Only Remainder of a term of 4 years from July 1, 2009
Margo Gladding 46 Holmehurst Avenue Catonsville, Maryland 21228 Baltimore County/10	Appointment Nutritionist Only Remainder of a term of 4 years from July 1, 2010
DISTRICT COURT OF MARYLAND – DISTRICT ONE – BALTIMORE CITY	
Hon. Shannon Elizabeth Avery 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Appointment Judge Term of 10 years from July 30, 2010
Hon. Karen Friedman 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Judge Term of 10 years from July 30, 2010
DISTRICT COURT OF MARYLAND – DISTRICT FOUR – CALVERT, CHARLES AND ST. MARY'S COUNTIES	
The Honorable Karen Christy Holt Chesser 23110 Leonard Hall Drive Leonardtwn, Maryland 20650 St. Mary's/29	Appointment Judge – St. Mary's County Term of 10 years from May 27, 2010
DISTRICT COURT OF MARYLAND – DISTRICT SIX – MONTGOMERY COUNTY	

Hon. Audrey Anne Creighton 27 Courthouse Square Rockville, Maryland 20850 Montgomery/15	Appointment Judge Term of 10 years from August 13, 2010
DISTRICT COURT OF MARYLAND – DISTRICT EIGHT – BALTIMORE COUNTY	
Hon. Marsha Lynette Russell 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/07	Appointment Judge Term of 10 years from August 3, 2010
Hon. Leo Ryan, Jr. 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/42	Appointment Judge Term of 10 years from August 3, 2010
Hon. Steven Donald Wyman 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/42	Appointment Judge Term of 10 years from August 3, 2010
DISTRICT COURT OF MARYLAND – DISTRICT TEN – CARROLL AND HOWARD COUNTIES	
Hon. Ricardo Daniel Zwaig 3451 Courthouse Drive Ellicott City, Maryland 21043 Howard/09	Appointment Judge – Howard County Term of 10 years from August 13, 2010
EDUCATION, STATE BOARD OF	
Charlene M. Dukes, Ed.D. 10602 Wood Pointe Terrace Glenn Dale, Maryland 20769 Prince George's/23	Reappointment Member Term of 4 years from July 1, 2010
Donna Hill Staton 13827 Lakeside Drive Clarksville, Maryland 21029 Howard/13	Reappointment Member Term of 4 years from July 1, 2010
Gayon Sampson 5850 Holly Hock Place Frederick, Maryland 21703 Frederick/03	Appointment Student Term of 1 year from July 1, 2010
ELEVATOR SAFETY REVIEW BOARD	
Charles Meeks 601 S. Pacific Avenue Ocean City, Maryland 21842 Worcester/38	Appointment Elevator Manufacturing Term of 3 years from October 1, 2010

ENVIRONMENTAL SERVICE, MARYLAND	
Talmadge E. Simons 16312 Old York Road Monkton, Maryland 21111 Baltimore County/05	Reappointment Private Sector Term of 4 years from July 1, 2010
Leslie Jackson Jenkins, Esq. 16040 Almond Sunset Lane Brandywine, Maryland 20613 Charles/28	Reappointment Public Sector Term of 4 years from July 1, 2010
FINANCIAL REGULATION, COMMISSIONER OF	
Mark Kaufman 4405 Bedford Place Baltimore, Maryland 21218 Baltimore City/43	Appointment Commissioner of Financial Regulation Serves at the pleasure of the Secretary of Labor, Licensing and Regulation
FIRE-RESCUE EDUCATION AND TRAINING COMMISSION	
Daniel J. Stevens 6461 Hawkins Gate Road La Plata, Maryland 20646 Charles/28	Reappointment Volunteer Term of 4 years from July 1, 2009
John E. Dulina 1258 Sugarwood Circle, Unit 302 Baltimore, Maryland 21221 Baltimore County/06	Reappointment Volunteer Term of 4 years from July 1, 2010
Barbara A. Knippenburg 17608 Old Dan's Rock Road SW Frostburg, Maryland 21532 Allegany/01	Appointment Volunteer Remainder of a term of 4 years from July 1, 2008
Geoffrey L. Donahue 8 Valles Court Parkville, Maryland 21234 Baltimore County/08	Reappointment Volunteer Term of 4 years from July 1, 2009
Michael W. Robinson, Sr. 12 Bosley Lane Reisterstown, Maryland 21136 Baltimore County/42	Reappointment Career Academy Instructor Term of 4 years from July 1, 2008
Reinhold C. Strobel 6417 Lacrosse Lane Glen Burnie, Maryland 21061 Anne Arundel/31	Appointment Career Academy Instructor Remainder of a term of 4 years from July 1, 2009
R. Michael Clemens 8104 Pete Wiles Road Middletown, Maryland 21769 Frederick/04	Reappointment Career Academy Instructor Term of 4 years from July 1, 2010

Omara M. Boulware 1419 Farmingdale Avenue Capitol Heights, Maryland 20743 Prince George's/24	Appointment Public Term of 4 years from July 1, 2008
HANDGUN ROSTER BOARD	
Michael Louis Tabor 5115 Thomas Long Road Crisfield, Maryland 21817 Somerset/38	Appointment Assn. of Chiefs of Police Remainder of a term of 4 years from December 8, 2008
Thomas C. Henderson 6125 M Springwater Place Frederick, Maryland 21701 Frederick/03	Reappointment NRA Term of 4 years from December 8, 2008
Phillip Michael Errico 702 Petersburg Road Davidsonville, Maryland 21035 Anne Arundel/33	Reappointment Citizen Term of 4 years from December 8, 2008
Claudette W. Gadsden 5218 Catalpha Road Baltimore, Maryland 21214 Baltimore City/43	Reappointment Citizen Term of 4 years from December 8, 2008
Russell N. Shea, Jr. 114 East Churchill Street Baltimore, Maryland 21230 Baltimore City/46	Appointment Citizen Term of 4 years from December 8, 2008
Martin D. Harsh, III, Ph.D. 313 Sunset Drive Lavale, Maryland 21502 Allegany/01	Reappointment Mechanical/Electrical Engineer Term of 4 years from December 8, 2008
James F. Laughland 227 Sandee Road Timonium, Maryland 21093 Baltimore County/11	Reappointment Mechanical/Electrical Engineer Term of 4 years from December 8, 2008
George D. Mathias 3311 Benson Mill Road Upperco, Maryland 21155 Baltimore County/05	Reappointment Dealer/Manufacturing Rep. Term of 4 years from December 8, 2008
HEALTH AND MENTAL HYGIENE, SECRETARY OF	
Joshua Sharfstein, M.D. 5820 Pimlico Road Baltimore, MD 21209 Baltimore City/41	Appointment Secretary Serves at the pleasure of the Governor
HEALTH CARE COMMISSION, MARYLAND	

Adam J. Weinstein, M.D. 411 Wallman Way Stevensville, Maryland 21666 Queen Anne's/36	Appointment Physician Remainder of a term of 4 years from October 1, 2009
HEATING, VENTILATION, AIR-CONDITIONING AND REFRIGERATION CONTRACTORS, STATE BOARD OF	
Rasheed Tamir Kerriem 2309 Elsinore Avenue Baltimore, Maryland 21216 Baltimore City/41	Appointment Consumer Remainder of a term of 3 years from January 1, 2009
HERITAGE AREAS AUTHORITY, MARYLAND	
Hon. Andrea C. Harrison 3103 La Dova Way Springdale, Maryland 20774 Prince George's/24	Appointment MACO Elected Official Remainder of a term of 4 years from October 1, 2006 and a term of 4 years from October 1, 2010
Donna M. Ware 16 Eastern Avenue Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Speaker's Nominee Term of 4 years from October 1, 2008
Ann Fligsten 1337 Kinloch Circle Arnold, Maryland 21012 Anne Arundel/30	Reappointment Speaker's Nominee Term of 4 years from October 1, 2010
John J. Fieseler 626 Francis Scott Key Highway Keymar, Maryland 21757 Carroll/04	Appointment Maryland Tourism Development Board Term of 4 years from October 1, 2010
Donna Tully Dudley 4420 Cobalt Drive Harwood, Maryland 20776 Anne Arundel/33	Appointment Heritage Tourism Term of 4 years from October 1, 2010
HIGHER EDUCATION COMMISSION, MARYLAND	
Alexia Van Orden 736 Dover Street Baltimore, Maryland 21230 Baltimore City/46	Appointment Student Remainder of a term of 1 year from July 1, 2010
HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND	
Larry S. Gibson 237 Lambeth Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Member Remainder of a term of 4 years from July 1, 2009

David A. Turner 10101 Livingston Road Broad Creek, Maryland 20744 Prince George's/26	Appointment Member Remainder of a term to expire June 30, 2010 and a term of 4 years from July 1, 2010
INJURED WORKERS' INSURANCE FUND, BOARD FOR THE	
Frank D. Boston, Jr. 3414 Duvall Avenue, Suite 202 Baltimore, Maryland 21216 Baltimore City/41	Reappointment Member Term of 5 years from June 1, 2010
Vincent Rocky Gonzalez 2901 Whitefield Road Churchville, Maryland 21028 Harford/35	Reappointment Member Term of 5 years from June 1, 2010
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Robyn I. Dubick 9630 Stirling Bridge Drive Columbia, Maryland 21046 Howard/13	Appointment Interior Designer Term of 3 years from July 1, 2010
LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF	
Beatrice Odom Scott 3500 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/40	Appointment Consumer Remainder of a term of 3 years from July 1, 2007 and a term of 3 years from July 1, 2010
LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL	
John F. Jensen 310 Goldeneye Court Havre de Grace, Maryland 21078 Harford/34	Appointment Consumer Remainder of a term of 5 years from July 1, 2007
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND	
Laura M. Esquivel 909 Elm Avenue Takoma Park, Maryland 20912 Montgomery/20	Appointment Nonlawyer Remainder of a term of 3 years from July 1, 2009
LONGITUDINAL DATA SYSTEM CENTER GOVERNING BOARD, MARYLAND	

Michael J. Martirano, Ed.D. 22398 Crossbill Lane Leonardtown, Maryland 20650 St. Mary's/29	Appointment Local Superintendent Remainder of a term of 3 years from July 1, 2010
Ayana English-Brown 9501 Meadow Lark Avenue Upper Marlboro, Maryland 20772 Prince George's/27	Appointment Member Remainder of a term of 3 years from July 1, 2010
Brian A. Roberts 310 Chestnut Hill Street Gaithersburg, Maryland 20878 Montgomery/17	Appointment Member Remainder of a term of 3 years from July 1, 2010
Jason Perkins-Cohen 4818 Keswick Road Baltimore, Maryland 21210 Baltimore City/41	Appointment Member Remainder of a term of 3 years from July 1, 2010
Nicole C. Marano 6 Clynmalira Court Phoenix, Maryland 21131 Baltimore County/05	Appointment Member Remainder of a term of 3 years from July 1, 2010
LOTTERY AGENCY, STATE	
Stephen L. Martino 4014 Victoria Falls Drive Ellicott City, Maryland 21043 Howard/09	Director Appointment Serves at the pleasure of the Governor
MORGAN STATE UNIVERSITY BOARD OF REGENTS	
DaQuan Lawrence 1541 Pentride Road, Apt. 202B Baltimore, Maryland 21239 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2010
MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF	
John T. Stewart, III 5316 Tolson Road Temple Hills, Maryland 20748 Prince George's/26	Appointment Mortician Term of 4 years from July 1, 2010
PAROLE COMMISSION, MARYLAND	
Rev. Donna M. Hill 5512 Gunston Lane Suitland, Maryland 20746 Prince George's/25	Appointment Member Remainder of a term of 6 years from January 1, 2008
PATUXENT RIVER COMMISSION	

Jacqueline U. Takacs 300 Greenridge Drive Dunkirk, Maryland 20754 Anne Arundel/33	Appointment UMCES Remainder of a term of 4 years from October 1, 2009
PHYSICIANS, STATE BOARD OF	
Hilary T. O’Herlihy, M.D. 5 St. Andrews Crossover Severna Park, Maryland 21146 Anne Arundel/33	Reappointment Physician Term of 4 years from July 1, 2010
Suresh K. Gupta, M.D. 109 Autumn Wind Way Rockville, Maryland 20850 Montgomery/15	Reappointment Physician Term of 4 years from July 1, 2010
Tricia J. Thompson Handel, D.O. 3862 Old Post Road Salisbury, Maryland 21804 Wicomico/38	Appointment Physician Remainder of a term of 4 years from July 1, 2009
John Richard Lilly, M.D. 1306 Eva Gude Drive Crownsville, Maryland 21032 Anne Arundel/33	Appointment Physician Term of 4 years from July 1, 2010
Beryl J. Rosenstein, M.D. 3316 Woodvalley Drive Baltimore, Maryland 21208 Baltimore County/11	Appointment Medical School Remainder of a term of 4 years from July 1, 2007
Richard C. Bittner 1627 Concordia Drive Pasadena, Maryland 21122 Anne Arundel/31	Reappointment Consumer Term of 4 years from July 1, 2010
PSYCHOLOGISTS, STATE BOARD OF	
Harriet B. Rakes 8357 Tamar Drive, #423 Columbia, Maryland 21045 Howard/13	Appointment Consumer Remainder of a term of 4 years from July 1, 2008
PUBLIC DEFENDER, BOARD OF TRUSTEES OF THE OFFICE OF THE	
James V. Anthenelli 5298 James Landing Road Salisbury, Maryland 21801 Wicomico/38	Appointment Member – 1st Circuit Term to expire May 31, 2012
Stephen Z. Meehan 105 Riverview Place Chestertown, Maryland 21620 Queen Anne’s/36	Appointment Member – 2nd Circuit Term to expire May 31, 2012



T. Wray McCurdy 223 West Seminary Avenue Lutherville, Maryland 21093 Baltimore County/42	Reappointment Member – 3rd Circuit Term to expire May 31, 2012
Margaret Ann Mead 4503 Conifer Court Glen Arm, Maryland 21057 Baltimore County/07	Reappointment Member – 3rd Circuit Term to expire May 31, 2012
Arthur Schneider 13212 Woodbine Lane Hagerstown, Maryland 21742 Washington/02	Appointment Member – 4th Circuit Term to expire May 31, 2012
Laura M. Robinson 8116 Riverside Drive Pasadena, Maryland 21122 Anne Arundel/31	Appointment Member – 5th Circuit Term to expire May 31, 2013
Eun Kyung “Jeannie” Cho 15722 Thistlebridge Drive Rockville, Maryland 20853 Montgomery/19	Appointment Member – 6th Circuit Term to expire May 31, 2013
Roger A. Fairfax, Jr. 3304 Glenmoor Drive Chevy Chase, Maryland 20815 Montgomery/18	Appointment Member – 6th Circuit Term to expire May 31, 2013
Harry Johnson 28 Warren Manor Court Cockeysville, Maryland 21030 Baltimore County/07	Appointment Member – 8th Circuit Term to expire May 31, 2013
ST. MARY’S CITY COMMISSION, HISTORIC	
Gabrielle A. Tayac, Ph.D. 210 Philadelphia Avenue Takoma Park, Maryland 20912 Montgomery/20	Appointment Distinguished Scholar – Educator Term of 4 years from July 1, 2009
Barbara G. Carson 308 Griffin Avenue Williamsburg, Virginia 23185 Nonresident	Appointment Distinguished Scholar – Historian Term of 4 years from July 1, 2009
ST. MARY’S COLLEGE OF MARYLAND, BOARD OF TRUSTEES OF	
Gary A. Jobson 10 Thompson Street Annapolis, Maryland 21401 Anne Arundel/30	Reappointment Member Term of 6 years from June 1, 2010
SECRETARY OF STATE	

John P. McDonough 4403 Woodgate Way Mitchellville, Maryland 20720 Prince George's/24	Reappointment Secretary of State Term concurrent with the Governor to expire January 21, 2015
STADIUM AUTHORITY, MARYLAND	
Kaliope Parthemos 4224 Kolb Avenue Baltimore, Maryland 21206 Baltimore County/08	Appointment Appointed by Mayor Remainder of a term of 4 years from July 1, 2008
STATE PROSECUTOR	
Emmet C. Davitt 122 South Rolling Road Catonsville, Maryland 21228 Baltimore County/12	Appointment State Prosecutor Term of 6 years from December 10, 2010
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Merlyn M. Bell 6703 Yataruba Drive Baltimore, Maryland 21207 Baltimore County/10	Reappointment Statewide Teachers' Org. with Non-majority Representation Term of 3 years from July 1, 2010
Karen L. Roe 9124 Snyder Lane Perry Hall, Maryland 21128 Baltimore County/08	Reappointment Teacher Education and College of Teacher Education Associations Term of 3 years from July 1, 2010
Cynthia T. Bowen, Ed.D. 2308 Pickwick Road Baltimore, Maryland 21207 Baltimore City/41	Reappointment Teacher Education and College of Teacher Education Associations Term of 3 years from July 1, 2010
Carl D. Roberts, Ed.D. 1641 Ingleside Avenue Perryville, Maryland 21903 Cecil/34	Appointment MD Public School Superintendents Association Term of 3 years from July 1, 2010
Stephanie R. Moses 6160 Oxbridge Drive Salisbury, Maryland 21801 Wicomico/37	Reappointment MD Public School Superintendents Association Term of 3 years from July 1, 2010
Theresa D. Stafford 2429 Rock Drive Cambridge, Maryland 21613 Dorchester/37	Appointment MD Association of Secondary Principals Remainder of a term of 3 years from July 1, 2008

Louise E. DeJesu 520 Bay Dale Court Arnold, Maryland 21012 Anne Arundel/30	Reappointment MD Association of Elementary Principals Term of 3 years from July 1, 2010
Amy Benson 1520 Chase Hill Drive Severn, Maryland 21144 Anne Arundel/33	Reappointment Association of Independent Schools Term of 3 years from July 1, 2010
UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS	
Hon. Francis X. Kelly, Jr. 151 Applecroft Lane Hunt Valley, Maryland 21030 Baltimore County/11	Reappointment Member Term of 5 years from July 1, 2010
Hon. Charles Thomas McMillen 3900 Jumpers Hill Lane Ellicott City, Maryland 21042 Howard/09	Reappointment Member Term of 5 years from July 1, 2010
VETERANS HOME COMMISSION, MARYLAND	
Mary Ann King 9800 Hedin Drive Silver Spring, Maryland 20903 Montgomery/20	Appointment Member Remainder of a term of 5 years from July 1, 2008
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF	
Heather M. Hendler, D.V.M. 7316 Shady Glen Drive Columbia, Maryland 21046 Howard/13	Appointment Veterinarian Term of 5 years from June 1, 2010
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Charles B. Hofmann, M.D. 2177 South Clairmont Avenue Salisbury, Maryland 21801 Wicomico/38	Appointment Health Term of 3 years from October 1, 2009
Theresa A. Gaffney 9108 Parliament Drive Burke, Virginia 22015 Nonresident	Appointment Media/Marketing Term of 3 years from October 1, 2008
WOMEN, MARYLAND COMMISSION FOR	
Kimberly Brown, Ph.D. 8232 Brooktree Street Laurel, Maryland 20724 Anne Arundel/21	Appointment Member Remainder of a term of 4 years from July 1, 2008

WORKFORCE CORPORATION BOARD, MARYLAND	
Theresa Alfaro Daytner 303 Thornberry Court Mt. Airy, Maryland 21771 Frederick/04	Appointment Member Term to expire June 30, 2012
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Gabrielle Eklund 2717 Atkinson Street Baltimore, Maryland 21211 Baltimore City/40	Appointment Camp Leader Term of 3 years from July 1, 2009
Jay Gerson 24200 Hawkins Landing Drive Laytonsville, Maryland 20882 Montgomery/14	Appointment Camp Owner/Manager – For Profit Term of 3 years from July 1, 2010
Lisa Ann Laschalt 25596 Loveville Road Leonardtown, Maryland 20650 St. Mary's/29	Appointment Local Health Department Remainder of a term of 3 years from July 1, 2009
Ethan Draddy 4807 Horse Hill Road Baldwin, Maryland 21013 Baltimore County/05	Appointment National Camping Organization Term of 3 years from July 1, 2010

**GUBERNATORIAL RECESS APPOINTMENTS TO LOCAL BOARDS  
REQUIRING SENATE CONFIRMATION  
2011 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

ALLEGANY COUNTY BOARD OF LICENSE COMMISSIONERS	
Charles Ronald Miller 12712 Lewis Heights Drive, SW Cumberland, Maryland 21502 Allegany/01	Appointment Republican Remainder of a term to expire May 2, 2011
BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF	
Jo-Wayne McCurbyn 500 West University Parkway Baltimore, Maryland 21210 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2010
CALVERT COUNTY BOARD OF LICENSE COMMISSIONERS	

Beth E. Swoap 2118 Loblolly Lane St. Leonard, Maryland 20685 Calvert/29	Appointment Alternate Remainder of a term to expire June 6, 2011
CAROLINE COUNTY BOARD OF ELECTIONS	
Warner G. Johnson 27320 Chipmans Lane Federalsburg, Maryland 21632 Caroline/37	Appointment Majority Party – Substitute Remainder of a term of 4 years from June 4, 2007
Greta H. Scanlan 24561 Mill Creek Lane Denton, Maryland 21629 Caroline/36	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES	
David P. O’Callaghan 2704 Appleseed Road Finksburg, Maryland 21048 Carroll/05	Appointment Member Term of 6 years from July 1, 2010
CARROLL COUNTY BOARD OF ELECTIONS	
Hope Jacobs 670 Tanglewood Drive Sykesville, Maryland 21784 Carroll/09	Appointment Majority Party Substitute Remainder of a term of 4 years from June 4, 2007
CECIL COLLEGE BOARD OF TRUSTEES	
David A. Leatherwood, D.D.S. 89 Calvert Road Rising Sun, Maryland 21911 Cecil/34	Appointment Member Term of 6 years from July 1, 2010
Wyatt K. Wallace 283 Poplar Point Road Perryville, Maryland 21903 Cecil/34	Appointment Member Term of 6 years from July 1, 2010
GARRETT COLLEGE BOARD OF TRUSTEES	
Albert A. Coviello 112 I Street Mountain Lake Park, Maryland 21550 Garrett/01	Appointment Member Remainder of a term of 6 years from July 1, 2010

Don Morin 2325 Accident Friendsville Road P.O. Box 116 Accident, Maryland 21520 Garrett/01	Appointment Member Remainder of a term of 6 years from July 1, 2007
GARRETT COUNTY LIQUOR CONTROL BOARD	
Beatrice J. Crosco 3667 Hutton Road Oakland, Maryland 21550 Garrett/01	Reappointment Majority Garrett County Commissioners Party – Republican Term of 6 years from June 1, 2010
HOWARD COUNTY BOARD OF ELECTIONS	
Patricia A. Neidig 9867 Foxhill Court Ellicott City, Maryland 21043 Howard/09	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
PRINCE GEORGE'S COMMUNITY COLLEGE BOARD OF TRUSTEES	
C. Michael Walls 414 Prince George Street Laurel, Maryland 20707 Prince George's/21	Appointment Member Remainder of a term of 5 years from July 1, 2007
Elizabeth G. "Susie" Proctor 14202 Cold Harbour Road Accokeek, Maryland 20607 Prince George's/27	Appointment Member Remainder of a term of 5 years from July 1, 2006
Oretha Bridgwaters 12022 Hunterton Street Upper Marlboro, Maryland 20774 Prince George's/25	Appointment Member Remainder of a term of 5 years from July 1, 2010
Aimee Olivo 3013 Park Way Cheverly, Maryland 20785 Prince George's/47	Appointment Member Remainder of a term of 5 years from July 1, 2010
PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS	
Shaihi Mwalimu 9544 Victoria Drive Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Democrat Term of 3 years from June 1, 2010
Earl J. Howard 3706 Baskerville Drive Mitchellville, Maryland 20721 Prince George's/24	Reappointment Democrat Term of 3 years from June 1, 2010

ST. MARY'S COUNTY ALCOHOL BEVERAGE BOARD	
William R. Cullins, III 38342 Red Robin Lane Clements, Maryland 20624 St. Mary's/29	Appointment 3rd Commission District Remainder of a term of 4 years from January 1, 2008
ST. MARY'S COUNTY BOARD OF ELECTIONS	
James J. Davis 20832 Waterside Drive Leonardtown, Maryland 20650 St. Mary's/29	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
SOMERSET COUNTY BOARD OF ELECTIONS	
Jackie Lee Mills 5099 Annemessex Road Crisfield, Maryland 21817 Somerset/38	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF	
Julie Sickle 2315 Ross Road P.O. Box 485 St. Leonard, Maryland 20685 Calvert/29	Appointment Member Term of 5 years from July 1, 2010
WORCESTER COUNTY BOARD OF ELECTIONS	
Mark S. Frostrom, Sr. 940 Bishop Road Pocomoke, Maryland 21851 Worcester/38	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
WORCESTER COUNTY LIQUOR CONTROL BOARD	
Donald A. Hastings 10549 Sussex Road Ocean City, Maryland 21842 Worcester/38	Reappointment Member Term of 4 years from June 1, 2010

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 7)

### **ADJOURNMENT**

At 1:02 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 13, 2011.



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**Annapolis, Maryland**  
**Thursday, January 13, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Pastor M. Moses Andrade, Silver Spring Seventh-day Adventist, guest of Senators Rosapepe and Raskin.

(See Exhibit A of Appendix III)

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

On motion of Senator Kasemeyer it was ordered that Senators McFadden and Middleton be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 10)

**INTRODUCTION OF BILLS**

**Senate Bill 1 – Senator Middleton**

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 Finance.

**Senate Bill 2 – Senator Colburn**

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 Judicial Proceedings.

**Senate Bill 3 – Senator Colburn**

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 Judicial Proceedings.

**Senate Bill 4 – Senators Klausmeier and Glassman**

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 Budget and Taxation.

**Senate Bill 5 – Senators Klausmeier, Rosapepe, and Stone**

AN ACT concerning

**Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements**

FOR the purpose of requiring physicians licensed to practice medicine in the State to notify patients in writing and on certain visits of certain information relating to professional liability insurance coverage; requiring a certain notification to be provided to a patient at a certain time, signed by a patient at a certain time, and retained by a physician as part of the physician’s patient records; requiring certain physicians to post certain information in their place of practice; requiring the Board of Physicians to devise certain language for certain notification requirements; and generally relating to physicians and professional liability insurance.

BY adding to

Article – Health Occupations  
Section 14–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 6 – Senator Colburn**

AN ACT concerning

#### **Optional Retirement Program – State and Participating Governmental Unit Employees – Participation**

FOR the purpose of providing that only certain individuals serving as Governor are eligible for a certain defined benefit retirement allowance; providing that, on or after a certain date, certain individuals are not eligible to join the Employees' Pension System, the Teachers' Pension System, the State Police Retirement System, the Correctional Officers' Retirement System, the Law Enforcement Officers' Pension System, or the Judges' Retirement 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 providing State employees and employees of participating governmental units with a defined contribution retirement benefit.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–405, 23–203, 23–204(c) and (d), 23–208, 24–202, 24–203, 25–202, 26–202(a), 30–101, 30–201, 30–202, 30–207, 30–210, 30–301, 30–302,

30-303, 30-305, 30-307(e), 31-101(c) and (d), 31-102, 31-109, 31-113, 31-2A-01(b) and (c), 31-2A-02, 31-2A-03, 31-2A-05, 31-2B-01(b) and (c), 31-2B-02, 31-2B-03, and 31-2B-05

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

BY adding to

Article – State Personnel and Pensions  
Section 27-201.1, 31-109.2, 31-109.3, 31-111.7, 31-112.1, 31-2A-03.2, 31-2A-03.3, 31-2A-04.1, 31-2B-03.2, and 31-2B-04.1

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), 31-2A-01(a), and 31-2B-01(a)

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

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

### **Senate Bill 7 – Senator Jones-Rodwell**

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 Budget and Taxation.

## **INTRODUCTION OF RESOLUTIONS**

### **Senate Resolution No. 9 – Senator Rob Garagiola:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Korean Americans

in recognition of  
the significant contributions that Korean Americans have made in our nation, in the State of Maryland and in our local communities. We commend the hard work, loyalty and success of these citizens as we celebrate Korean American Day in Annapolis.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 13th day of January 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 11)

### **QUORUM CALL**

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

(See Roll Call No. 12)

### **ADJOURNMENT**

At 10:40 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 14, 2011.

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**Annapolis, Maryland**  
**Friday, January 14, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:03 A.M.

Prayer by Reverend Herbert W. Watson, Jr., Lead Pastor of St. Mark Methodist Church in Hanover, Maryland, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

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

On motion of Senator Garagiola it was ordered that Senators Miller, Currie, Middleton and Raskin be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 15)

**INTRODUCTION OF BILLS**

**Senate Bill 8 – Senator Klausmeier**

AN ACT concerning

**Table Games – Video Lottery Facilities**

FOR the purpose of authorizing the holder of a video lottery operation license to offer table games in the State; specifying the type of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain video lottery facilities to comply with applicable planning and zoning laws of the local jurisdiction; requiring certain legislation under certain circumstances; and submitting this Act to a referendum of the qualified voters of Maryland for their adoption or rejection.

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

**Senate Bill 9 – Senators Glassman, Jacobs, and Jennings**

## EMERGENCY BILL

AN ACT concerning

**Harford County – Alcoholic Beverages – Special Class C–3 Miscellaneous  
Organization or Club License**

FOR the purpose of establishing a special Class C–3 (on–sale) beer, wine and liquor license in Harford County; specifying that the County Liquor Control Board may issue a special Class C–3 license only to certain organizations and clubs; authorizing a special Class C–3 license holder to sell or provide alcoholic beverages to certain persons for consumption on the licensed premises under certain circumstances; establishing certain annual fees for a special Class C–3 license; requiring the Board to prescribe a special Class C–3 license application form; requiring an applicant for a special Class C–3 license to sign the application form and pay the annual fee before being issued the license; prohibiting the Board from issuing multiple special Class C–3 licenses to an organization or club in any license year; limiting to a certain amount the total number of days authorized for events held under a special Class C–3 license in any license year; requiring a special Class C–3 license holder to notify the Board of an event in writing within a certain period of time before each event; providing that this Act does not preclude an organization or club from obtaining a single event special Class C license; providing for the application of this Act; making this Act an emergency measure; and generally relating to organization and club licenses in Harford County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–301(n)(1), (2), (3), and (6) and 7–101(a)(1), (b)(1)(i), and (d)(1)(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7–101(v)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 10 – Senator Kelley**

AN ACT concerning

**Personal Property Tax – Property Located in a Residence – Exemption**



FOR the purpose of providing an exemption from valuation and property taxation for personal property used in connection with a business, occupation, or profession and located at an individual's principal residence subject to certain limitations; and generally relating to the valuation and taxation of personal property.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–227  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Tax – Property  
Section 7–227.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 11 – Senator Kelley**

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 Budget and Taxation.

### **Senate Bill 12 – Senator Stone**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Maryland Quiet Vehicles and Pedestrian Safety Task Force – Reconstitution**

FOR the purpose of reconstituting the Maryland Quiet Vehicles and Pedestrian Safety Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the Governor and the General Assembly by a certain date; making this Act an emergency measure; providing for the termination of this Act; stating the intent of the General Assembly; and generally relating to the Maryland Quiet Vehicles and Pedestrian Safety Task Force.

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

### **Senate Bill 13 – Senator Gladden**

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 Budget and Taxation.

### **Senate Bill 14 – Senator Gladden**

AN ACT concerning

#### **Vehicle Laws – Race–Based Traffic Stops – Reporting Requirements**

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 certain

actions following a report on the failure of a law enforcement agency to comply; providing for the application of this Act; defining certain terms; 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 Judicial Proceedings.

### **Senate Bill 15 – Senator Madaleno**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 16 – Senator Kasemeyer**

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 Budget and Taxation.

**QUORUM CALL**

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

(See Roll Call No. 16)

**ADJOURNMENT**

At 11:20 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 17, 2011 in honor of Samuel Milton Irby, Jr. and Irene Bennett Reid.

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**Annapolis, Maryland**  
**Monday, January 17, 2011**  
**8:00 P.M. Session**

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The Senate met at 8:00 P.M.

Prayer by Reverend Doctor Alfreda L. Wiggins of the John Wesley United Methodist Church, guest of Senator Pugh.

(See Exhibit A of Appendix III)

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

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

**QUORUM CALL**

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

(See Roll Call No. 18)

**ANNOUNCEMENT**

January 17, 2011

The Anne Arundel County Delegation makes the following announcement:

Chair – Senator John C. Astle

The Harford County Delegation makes the following announcement:

Chair – Senator Barry Glassman

The Baltimore City Delegation makes the following announcement:

Chair – Senator Verna Jones–Rodwell

The Eastern Shore Delegation makes the following announcement:

Chair – Senator Richard F. Colburn

The Frederick County Delegation makes the following announcement:

Chair – Senator David R. Brinkley

Read and ordered journalized.

### **INTRODUCTION OF 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 Judicial Proceedings.

#### **Senate Bill 18 – Senator Colburn**

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 Judicial Proceedings.

### **Senate Bill 19 – Senator Colburn**

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 Judicial Proceedings.

**Senate Bill 20 – Senator Colburn**

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 Education, Health, and Environmental Affairs.



**Senate Bill 21 – Senator Colburn**

**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 Education, Health, and Environmental Affairs.

**Senate Bill 22 – Senator Stone**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 23 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

**Senate Bill 24 – Senator Astle**

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 Budget and Taxation.

**Senate Bill 25 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

**Senate Bill 26 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 27 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 28 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 29 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 30 – Senators Brochin, Jacobs, Stone, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 31 – Senator Kasemeyer**

AN ACT concerning

**Interest Rate on Tax Deficiencies and Refunds**

FOR the purpose of altering the calculation of the annual interest rate that the Comptroller sets for tax deficiencies and refunds; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 13–604  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**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 Education, Health, and Environmental Affairs.

**Senate Bill 33 – Senator Reilly**

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 Judicial Proceedings.

**Senate Bill 34 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Blandair Regional Park**

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

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

**Senate Bill 35 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Mount Pleasant Farm Buildings**

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 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 Budget and Taxation.

**Senate Bill 36 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – The Arc of Howard County – Graeloch Home Renovation**

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 Budget and Taxation.

**Senate Bill 37 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Troy Regional Park**

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



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

**Senate Bill 38 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Former Ellicott City Post Office**

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 Budget and Taxation.

**Senate Bill 39 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mary Harvin Transformation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Mary Harvin Transformation Center Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 40 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – St. Francis Xavier Head Start**

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 St. Francis Xavier Head Start, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or

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

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

**Senate Bill 41 – Senators Pugh, Garagiola, Jones–Rodwell, King, McFadden, Raskin, Robey, and Stone**

AN ACT concerning

**Education – Age for Compulsory Public School Attendance – Exemptions**

FOR the purpose of altering the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; altering the age of certain children for which certain persons are responsible for the child's attendance at school or receipt of certain instruction; making certain stylistic changes; providing for delayed effective dates; and generally relating to the age for compulsory public school attendance.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301(a), (a–1)(1), (c), and (e)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 42 – Senators Pugh, Garagiola, and McFadden**

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 Budget and Taxation.

**Senate Bill 43 – Senators Pugh, Colburn, Gladden, Jones–Rodwell, McFadden, Raskin, Robey, and Stone**

AN ACT concerning

**Maryland Automobile Insurance Fund – Acceptance of Premiums on Installment Basis**

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis under certain circumstances; requiring the Maryland Insurance Commissioner to ensure certain provisions of the Fund’s installment payment plan; prohibiting the Fund from discriminating among insureds in a certain manner; prohibiting the Fund from paying a higher commission to certain producers; requiring certain written and electronic

communications to include a certain statement under certain circumstances; requiring the Executive Director of the Fund, in consultation with the Commissioner and other State agencies, to develop certain criteria for a certain evaluation of the impact and effectiveness of the Fund's installment payment plan; requiring the Fund to determine certain information and the Board of Trustees of the Fund to certify the information to the Board of Directors of the Industry Automobile Insurance Association on or before a certain date each year; requiring the Executive Director of the Fund to submit on or before a certain date each year a certain report to the Commissioner; authorizing the Commissioner to make a certain determination under certain circumstances; requiring the Commissioner to make a certain determination on certain dates; requiring the Commissioner to retain a certain actuary and hold a certain hearing under certain circumstances; requiring a premium finance company, in the event of a certain insurance policy cancellation, to credit to a certain account or refund to a certain insured a certain amount within a certain time; requiring an independent insurance producer to provide a certain disclosure under certain circumstances; requiring the Commissioner to study the enforcement of eligibility criteria for insurance coverage in the Fund; requiring the Fund to provide certain information to the Office of Legislative Audits on or before a certain date; requiring the Office to evaluate the overall costs of the Fund's installment payment plan on or before a certain date; requiring the Commissioner to submit certain reports; requiring the Office to submit a certain report; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; making certain stylistic and conforming changes; and generally relating to accepting premiums on an installment basis on policies issued by the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 20–101(a) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–404, 20–507, 23–304, and 23–505.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **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 Finance.

### **Senate Bill 45 – Senator Astle**

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 Education, Health, and Environmental Affairs.

### **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 Education, Health, and Environmental Affairs.

The Martin Luther King, Jr. Day Address was presented by the Honorable Delores G. Kelley.

### **QUORUM CALL**

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

(See Roll Call No. 19)

### **ADJOURNMENT**

At 8:52 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 18, 2011 in Honor of Martin Luther King, Jr.

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**Annapolis, Maryland  
Tuesday, January 18, 2011  
10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Pastor Steve Hall, Heritage Community Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

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

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

**QUORUM CALL**

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

(See Roll Call No. 21)

**INTRODUCTION OF BILLS**

**Senate Bill 47 – Senator Conway**

**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 Education, Health, and Environmental Affairs.

**Senate Bill 48 – Senator Kelley**

AN ACT concerning

**Motor Vehicle Air Bags – Consumer Protection and Reporting Requirements**

FOR the purpose of prohibiting a person from installing a salvaged air bag in a motor vehicle; prohibiting a person from installing or reinstalling in a motor vehicle any object in lieu of an air bag; prohibiting a person from selling or offering for sale any device with the intent that the device will replace an air bag in a motor vehicle under certain circumstances; prohibiting a person from selling or offering for sale any device that gives a false impression that a viable air bag is installed in a motor vehicle; prohibiting a person from intentionally misrepresenting the presence of an air bag in a motor vehicle; requiring a person who installs a new replacement air bag in a motor vehicle to maintain certain records for a certain period of time; requiring certain records to be made available for inspection at a certain time at the request of a certain law enforcement officer; requiring certain information to be provided on the request of certain vehicle owners or their insurers; requiring a person who installs a replacement air bag in a motor vehicle to submit a certain affidavit to a certain person; prohibiting a person from selling or trading a motor vehicle if the person has actual knowledge that the air bag in the motor vehicle is inoperable unless the person gives a certain notice; requiring certain motor vehicle accident reports and certain motor vehicle accident report forms to include certain information; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; providing a certain penalty; defining certain terms; and generally relating to motor vehicle air bags and consumer protection and reporting requirements.

BY adding to

Article – Commercial Law

Section 14–3901 through 14–3906 to be under the new subtitle “Subtitle 39. Air Bag Safety Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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 – Transportation  
Section 20–113  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 49 – Senator Jones–Rodwell**

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 Budget and Taxation.

**Senate Bill 50 – Senators Brochin, Frosh, and Stone**

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 Judicial Proceedings.

**Senate Bill 51 – Senators Brochin and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality and Eligibility**

FOR the purpose of prohibiting the disclosure of the identity or contact information of a certain victim or claimant by the Criminal Injuries Compensation Board; prohibiting a person who has been convicted of certain offenses from receiving a certain award from the Board; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–806 and 11–808(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 52 – Senator Conway**

AN ACT concerning

**Elections – Candidates for Judicial Offices – Certificates of Candidacy and Campaign Finance Entities**

FOR the purpose of prohibiting, under certain circumstances, a judge from filing a certificate of candidacy for judicial office more than a certain number of years before the general election for the judicial office; prohibiting, under certain circumstances, a judge from establishing, or causing to be established, a campaign finance entity more than a certain number of years before the general election for the judicial office; providing for the application of this Act; defining a certain term; and generally relating to certificates of candidacy and campaign finance entities for candidates for certain judicial offices.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–303 and 13–202  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 53 – Senators Kasemeyer, Currie, DeGrange, Garagiola, Kittleman, Madaleno, McFadden, and Middleton**

**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 Budget and Taxation.

**Senate Bill 54 – Senator Kasemeyer**

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 Budget and Taxation.

Senator Klausmeier moved to suspend Senate Rule 32(e) to allow the following bills to be referred to the appropriate committee.

The motion was adopted by a roll call vote as follows:

Affirmative – 45      Negative – 1      (See Roll Call No. 22)

### INTRODUCTION OF 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 Budget and Taxation.

#### **Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

#### **Health Insurance – Evaluation of Quality of Care and Performance of Health Benefit Plans**

FOR the purpose of altering certain requirements for and purposes of a certain system that the Maryland Health Care Commission is required to establish and implement; requiring the system to comparatively evaluate the quality of care and performance of certain health benefit plans; establishing that a purpose of the system is to assist certain health insurance carriers to improve care; requiring the system to solicit performance information from enrollees of certain health benefit plans; altering the entities the recommendations of which the Commission must consider before implementing the system; altering the

contents of a certain annual evaluation summary; defining certain terms; making certain conforming changes; and generally relating to evaluations of quality of care and performance of health benefit plans.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–132 and 19–134(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**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 Finance.

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

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; 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 Finance.

**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 Finance.

**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 Finance.

**Senate Bill 61 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Public Information Act – Documents Relating to Arrest Warrants**

FOR the purpose of expanding access by the Department of Juvenile Services to certain court files and records relating to arrest warrants; repealing certain redundant authority that allows access by the Department of Public Safety and Correctional Services to certain documents relating to arrest warrants; and generally relating to access to documents relating to arrest warrants under the Public Information Act.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–201(f) and 10–239(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 62 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Records – Disclosure Between Departments of Education and Juvenile Services**

FOR the purpose of authorizing the State Department of Education and the Department of Juvenile Services to share certain information and court records with each other under certain circumstances; and generally relating to juvenile records.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 22–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)



BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–27(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 63 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Police and Correctional Training Commissions – Staff – Appointing and  
Supervisory Authority**

FOR the purpose of altering the appointing authority for, the supervisory authority over, and the classification of the executive director, the deputy director, and certain other employees of the Correctional Training Commission and the Police Training Commission; providing for the construction of this Act; and generally relating to the staff of the Correctional Training Commission and the Police Training Commission.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 8–206  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–206  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

**Senate Bill 64 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Definition of  
Victim**

FOR the purpose of altering the definition of victim as it relates to the Criminal Injuries Compensation Board to include a person who suffers psychological injury as a result of certain additional crimes; altering the definition of victim to provide that certain psychological injury does not have to be a direct result of certain crimes; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–801(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Juvenile Services)**

AN ACT concerning

**Courts – Natural Resources Violations – Jurisdiction**

FOR the purpose of expanding the exclusions to which juvenile court jurisdiction does not apply to include charges of certain natural resources violations alleged against certain persons; expanding the jurisdiction of the District Court to include charges of certain natural resources violations alleged against certain persons; including certain natural resources charges as charges for which the juvenile court has exclusive jurisdiction under certain circumstances; excluding certain natural resources convictions from the convictions that result in the termination of juvenile court jurisdiction under certain circumstances; and generally relating to the jurisdiction of courts over natural resources violations.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–01(a) and (j)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–03, 3–8A–07, and 4–301(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**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 Judicial Proceedings.

January 18, 2011

**MESSAGE TO THE SENATE**

**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 ordered journalized.

January 18, 2011

**MESSAGE TO THE HOUSE OF DELEGATES**

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 adopted.

**MESSAGE TO THE HOUSE OF DELEGATES**

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 adopted.

January 18, 2011

## MESSAGE TO THE SENATE

### 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 ordered journalized.

**QUORUM CALL**

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

(See Roll Call No. 23)

**ADJOURNMENT**

At 10:32 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 19, 2011.

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**Annapolis, Maryland  
Wednesday, January 19, 2011  
10:00 A.M. Session**

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The Senate met at 10:06 A.M.

Prayer by Senator McFadden.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 25)

**INTRODUCTION OF BILLS**

**Senate Bill 67 – Senators Edwards and Mathias**

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 Finance.

### **Senate Bill 68 – Senator Middleton**

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 Judicial Proceedings.

### **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; 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 Budget and Taxation.

**Senate Bill 70 – Senators Pugh, Conway, Ferguson, Jones–Rodwell, and McFadden**

AN ACT concerning

**Public–Private Partnerships Oversight – Baltimore City Community College**

FOR the purpose of exempting certain public–private partnership agreements entered into by the Baltimore City Community College under certain circumstances from the provisions of law relating to the oversight of public–private partnerships; and generally relating to the oversight of public–private partnerships.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10A–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 71 – Senators Kelley, Astle, Benson, Brochin, Conway, Currie, DeGrange, Forehand, Garagiola, Jones–Rodwell, Middleton, Peters, Pinsky, Pipkin, Pugh, Raskin, Robey, Rosapepe, and Stone**

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 Judicial Proceedings and the Committee on Finance.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 26)

### **RECESS**

At 10:12 A.M. on motion of Senator Garagiola, seconded, the Senate recessed to the House Chamber until 10:13 A.M. on Wednesday, January 19, 2011 for the Certification of the Election Results.

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

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At 10:18 A.M. the Senate resumed its session.

**JOINT SESSION**

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 26A)

**MESSAGE FROM THE SECRETARY OF STATE**

January 18, 2011

The Honorable Michael E. Busch  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with the provisions of Article II, Section 2 of the Constitution of Maryland, I am enclosing herewith a certified copy of the official returns for the offices of Governor and Lieutenant Governor in the 2010 General Election.

Sincerely,  
John P. McDonough  
Secretary of State

Read and ordered journalized.

**STATE BOARD OF ELECTIONS**

I, LINDA H. LAMONE, Administrator of the State Board of Elections, do hereby certify that the attached is a true and correct copy of the RESULTS OF THE NOVEMBER 2, 2010 GENERAL ELECTION FOR THE OFFICES OF GOVERNOR/LIEUTENANT GOVERNOR.

It is further certified that the original of this document is on file and part of the permanent records of the State Board of Elections.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused to be affixed the official seal of the State Board of Elections, this 18th day of January 2011.

Linda H. Lamone  
Administrator

Read and ordered journalized.

## **PRESENTATION OF CERTIFIED ELECTION RESULTS**

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

(See Exhibit B of Appendix III)

Read and ordered journalized.

## **ADJOURNMENT**

At 10:28 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 20, 2011.

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**Annapolis, Maryland**  
**Thursday, January 20, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Reverend Doctor William J. Ortt, Christ Church of Easton, guest of Senator Colburn.

(See Exhibit A of Appendix III)

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

On motion of Senator Garagiola it was ordered that Senators Astle and Zirkin be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 28)

**INTRODUCTION OF BILLS**

**Senate Bill 72 – Senator Benson**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Surviving Spouse  
Licenses – Deadlines**

FOR the purpose of altering the time period within which an applicant for a surviving spouse license issued by the State Board of Morticians and Funeral Directors must submit certain verification of a certain death and a certain application; altering the time period within which an applicant for a surviving spouse license must take a certain examination; and generally relating to surviving spouse licenses issued by the State Board of Morticians and Funeral Directors.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–308  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 73 – Senator Benson**

AN ACT concerning

**Public Health – State Anatomy Board and Practitioners – Disposition of Bodies**

FOR the purpose of authorizing a certain practitioner who has custody of a body to dispose of the body in a certain manner or to provide a certain notice to the State Anatomy Board regarding the body under certain circumstances; requiring the Board to take custody of a certain body within a certain time period after a certain notification is given; authorizing a practitioner or the Board to recover certain costs from an authorizing agent under certain circumstances; specifying that a practitioner or the Board is not liable for any action taken in accordance with this Act; authorizing the State Anatomy Board to receive payment for the cost of storing a body before releasing the body to a relative or friend of the deceased; defining a certain term; and generally relating to the disposition of bodies by the State Anatomy Board and practitioners.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–406

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 5–508(a), (b), and (f)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 5–513

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 74 – Senators Astle, DeGrange, Reilly, and Simonaire**

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 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 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 local property tax credit for real property leased to a nonprofit school.

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 Budget and Taxation.

**Senate Bill 75 – Senator Astle**

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 Finance.

**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 Education, Health, and Environmental Affairs.

**Senate Bill 77 – Senators Conway, Ferguson, Gladden, and Pugh**

AN ACT concerning



**Department of Housing and Community Development – Security for Senior Housing**

FOR the purpose of requiring the Department of Housing and Community Development to provide security during a certain period of time in certain federally subsidized senior housing properties; requiring the Secretary of Housing and Community Development to adopt by regulation standards for security in federally subsidized senior housing properties; and generally relating to security in senior housing.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 2–102(a) and 2–111  
Annotated Code of Maryland  
(2006 Volume and 2010 Supplement)

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

**Senate Bill 78 – Senator Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 79 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Labor and Industry – Inflatable Amusement Attractions**

FOR the purpose of authorizing the Commissioner of Labor and Industry to issue a certificate of registration and operation authorizing the operation of an inflatable amusement attraction without prior inspection or testing; authorizing the Commissioner to establish by regulation certain requirements for a certificate of registration and operation; requiring the Commissioner to inspect each inflatable amusement attraction on a random basis, rather than annually; establishing an exception from a certain certificate of inspection requirement for inflatable amusement attractions; and generally relating to inflatable amusement attractions.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–401 and 3–402  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**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; 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 Education, Health, and Environmental Affairs.

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental –  
Higher Education Commission)**

AN ACT concerning

**Higher Education – Assistance Efforts for Family Investment Program  
Recipients – Repeal**

FOR the purpose of repealing a requirement that the Maryland Higher Education Commission and the Department of Human Resources identify, promote, and coordinate certain efforts and services and undertake certain activities at institutions of higher education related to recipients of Family Investment Program services; repealing certain reporting requirements relating to services provided to Program recipients; and generally relating to the repeal of certain assistance efforts for Program recipients at institutions of higher education.

BY repealing

Article – Human Services

Section 5–305

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

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

**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; 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 Finance.

**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 Education, Health, and  
Environmental Affairs.

**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 Education, Health, and Environmental Affairs.

### SPECIAL ORDERS

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

Senate Rule 116. Change in Rules

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

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

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

Senate Rule 116 was read only.

Senator Klausmeier moved, duly seconded, to amend Senate Rule 18.

BY: Majority Leader

AMENDMENT TO SENATE RULE 18

ORDERED by the Senate of Maryland, that Senate Rule 18, as adopted by the Senate for the 2011 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“18.

(a) There are the following standing committees, the Members of which shall be appointed by the President at the beginning of each session of the General Assembly, each to have a membership as follows:

(1) Legislative Committees:

(i) Budget and Taxation, [15] 13;

(ii) Education, Health, and Environmental Affairs, [9] 11;

(iii) Finance, 11;

(iv) Judicial Proceedings, 11;

(v) Rules, 11.”.

The preceding amendment was read and adopted.

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

Rule 116 was adopted by roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 29)

**QUORUM CALL**

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

(See Roll Call No. 30)

**ADJOURNMENT**

At 10:36 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned in memory of Mark Falkenhan until 11:00 A.M. on Friday, January 21, 2011.

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**Annapolis, Maryland**  
**Friday, January 21, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:13 A.M.

Prayer by Reverend Monsignor J. Bruce Jarboe, The Cathedral of Mary Our Queen, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

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

On motion of Senator Garagiola it was ordered that Senators Astle, Forehand and Muse be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 33)

**INTRODUCTION OF BILLS**

**Senate Bill 85 – The President (By Request - Administration)**

AN ACT concerning

**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 Budget and Taxation.

**Senate Bill 86 – The President (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 Budget and Taxation.

**Senate Bill 87 – The President (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 Budget and Taxation.

**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 Finance.

**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 Education, Health, and Environmental Affairs.

**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 Education, Health, and Environmental Affairs.

**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 Education, Health, and Environmental Affairs.

**Senate Bill 92 – The President (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 Education, Health, and Environmental Affairs.

**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; 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 Education, Health, and Environmental Affairs.

**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 Education, Health, and Environmental Affairs.

**Senate Bill 95 – Senator Garagiola**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Montgomery County –  
Black Rock Center for the Arts**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Trustees of the Germantown Cultural Arts Center, Inc. d/b/a Black Rock Center for the Arts, Inc. 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(AK)

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

**Senate Bill 96 – Senator Garagiola**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –  
Agriculture Activity Center Expansion**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to change the purpose of the grant for the Agriculture Activity Center Expansion to be used for the day use area at the Little Bennett Regional Park; allowing the matching fund to consist of funds expended prior to a certain date; changing the location of the project; extending the deadline for the grantee 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 ZA01(AM) and ZA02(AW)

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

**Senate Bill 97 – Senators Kelley, Astle, Benson, Colburn, Conway, Forehand,  
Garagiola, Kittleman, Klausmeier, Mathias, Middleton, Muse, Pugh,  
and Stone**

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 Judicial Proceedings.

### **Senate Bill 98 – Senator McFadden**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 99 – Senator Kittleman**

AN ACT concerning

#### **Robert Kittleman Scholarship Reform Act**

FOR the purpose of repealing certain laws relating to senatorial and delegate scholarships; and generally relating to the repeal of senatorial and delegate scholarships.

BY repealing

Article – Education

Section 18–401 through 18–408 and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 100 – Senator Kittleman**

AN ACT concerning

#### **State Government – Notary Public – Appointment**

FOR the purpose of repealing a provision of law requiring a notary public applicant to receive certain approval from a certain State Senator; repealing a provision of law requiring an individual appointed as a notary public to be a resident of the senatorial district from which the individual is appointed; altering a provision of law by authorizing the removal or suspension of a notary public from office based on a request made to the Governor from the Secretary of State instead of from a certain State Senator; requiring a notary public applicant to receive certain approval from the Secretary of State; making certain conforming changes; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,

Article – State Government

Section 18–101, 18–102, 18–103(a), and 18–104(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 101 – Senator Edwards**

AN ACT concerning

#### **Business Regulation – Motor Fuel Advertising Signs – Requirements**

FOR the purpose of requiring the motor fuel advertising sign of a retail service station dealer to state a certain price for a unit of diesel fuel and a unit of regular gasoline if the retail service station sells diesel fuel on the premises; and generally relating to requirements for motor fuel advertising signs.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 10–315  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**Senate Bill 102 – Senators Pipkin and Colburn**

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 Education, Health, and Environmental Affairs.

**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 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 Finance.

**Senate Bill 104 – Senators King, Benson, DeGrange, Ferguson, Forehand, Kasemeyer, Madaleno, Montgomery, Peters, Pinsky, Rosapepe, Stone, and Young**

AN ACT concerning

**Judith P. Hoyer Early Child Care and Education Enhancement Program – Annual Report**

FOR the purpose of 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 Education, Health, and Environmental Affairs.

**Senate Bill 105 – Senator Pipkin**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Queen Anne’s County – Hospice of Queen Anne’s**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to allow the matching fund requirement for the Board of Directors of the Hospice of Queen Anne’s, Inc. to include funds expended prior to a certain date.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BP)

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

**Senate Bill 106 – Senators Pipkin and Colburn**

AN ACT concerning

**Creation of a State Debt – Caroline County – Caroline High School Culinary Center**

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

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

**Senate Bill 107 – Senator Astle**

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; requiring the Commissioner and the Secretary of Health and Mental Hygiene, in consultation with certain exchanges, to study and report on utilization of certain private sector resources and certain effects on employment on or before a certain date; 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 Finance.

**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 Finance.

**Senate Bill 109 – Senators Frosh and Madaleno**

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 Education, Health, and  
Environmental Affairs.

**Senate Bill 110 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 111 – Senators Brochin, Conway, Pinsky, Pugh, Raskin, Rosapepe, and Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 112 – Senators Glassman, Conway, DeGrange, Forehand, Jennings, Kasemeyer, Mathias, Middleton, Raskin, Simonaire, and Stone**

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 Judicial Proceedings.

**Senate Bill 113 – Senators King, Benson, DeGrange, Forehand, Garagiola, Montgomery, Peters, Ramirez, Robey, and Zirkin**

AN ACT concerning

**Vehicle Laws – Child Safety Seats and Seat Belts – Penalty**

FOR the purpose of increasing the fine for certain violations of law relating to the failure to secure a child in a child safety seat or seat belt while transporting the child in a motor vehicle; and making stylistic changes.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–412.2

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 114 – Senators Simonaire and Reilly**

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 Education, Health, and Environmental Affairs.

**Senate Bill 115 – Senators Robey, Raskin, Forehand, Madaleno, Manno, Rosapepe, Shank, and Stone**

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 Judicial Proceedings.

**Senate Bill 116 – Senators Garagiola, Madaleno, Raskin, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kelley, King, Manno, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Young, and Zirkin**

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 Judicial Proceedings.

**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 Education, Health, and Environmental Affairs.

**Senate Bill 118 – Senators Forehand and Madaleno**

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 Judicial Proceedings.

**Senate Bill 119 – Senators Kelley, Benson, Colburn, Conway, Getty, Jones–Rodwell, McFadden, Middleton, Pugh, Reilly, and Shank**

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 Education, Health, and Environmental Affairs.

**Senate Bill 120 – Senators Conway, Benson, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Klausmeier, Pugh, and Ramirez**

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 Education, Health, and Environmental Affairs.

**Senate Bill 121 – Senators Klausmeier, Colburn, Forehand, King, Middleton, Raskin, and Rosapepe**

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 Education, Health, and Environmental Affairs.

**Senate Bill 122 – The President (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 Budget and Taxation.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 34)

**ADJOURNMENT**

At 11:29 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned in Honor of Sgt. Shriver, William Hanna, and Pete Menke, until 8:00 P.M. on Monday, January 24, 2011.



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**Annapolis, Maryland**  
**Monday, January 24, 2011**  
**8:00 P.M. Session**

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The Senate met at 8:05 P.M.

Prayer by Reverend Doctor Harlie Walden Wilson II, Israel Baptist Church of Baltimore, guest of Senator McFadden.

(See Exhibit A of Appendix III)

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

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

**QUORUM CALL**

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

(See Roll Call No. 38)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 1510 – Senator Thomas M. Middleton:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jena Hatfield  
in recognition of  
your selfless and extraordinary action, without personal regard, assisting in saving the  
life of a fellow  
citizen of Maryland.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

**Senate Resolution No. 79 – Senator Joseph M. Getty:**

Be it hereby known to all that  
The Senate of Maryland

offers its sincerest congratulations to  
Zeb Rohrback  
in recognition of  
your selfless and extraordinary action, without personal regard, assisting in saving the  
life of a fellow  
citizen of Maryland.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

**Senate Resolution No. 78 – Senator Douglas J. J. Peters:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Linwood Alston  
in recognition of  
your selfless and extraordinary action, without personal regard, assisting in saving the  
life of a fellow  
citizen of Maryland.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

The preceding 3 Senate Resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 39)

Introduction and remarks by Montel Williams.

**Senate Resolution No. 83 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Tom and Ann Berger  
in recognition of  
your important contribution to the Page Program by providing a home for the students  
serving the  
Maryland General Assembly.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

**Senate Resolution No. 82 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Wilma “Billie” Berry  
in recognition of  
your important contribution to the Page Program by providing a home for the students  
serving the  
Maryland General Assembly.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

**Senate Resolution No. 81 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Anne Sloan  
in recognition of  
your important contribution to the Page Program by providing a home for the students  
serving the  
Maryland General Assembly.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

**Senate Resolution No. 84 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Honorable John and Mrs. Jayne Astle  
in recognition of  
your important contribution to the Page Program by providing a home for the students  
serving the  
Maryland General Assembly.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 24th day of January 2011.

The preceding 4 Senate Resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 40)

**INTRODUCTION OF BILLS****Senate Bill 123 – Senators Astle, Reilly, and Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 124 – Senator Astle**

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 Education, Health, and Environmental Affairs.

**Senate Bill 125 – Senator Gladden**

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 Judicial Proceedings.

**Senate Bill 126 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 127 – Senator Jones–Rodwell**

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 Budget and Taxation.

**Senate Bill 128 – Harford County Senators**

AN ACT concerning

**Harford County – Charitable Gaming**

FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons or after certain costs are deducted for purposes other than the purposes of the organization; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the Sheriff of Harford County to refuse to issue a permit under certain conditions; requiring the Sheriff to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to gaming contests in Harford County.

BY renumbering

Article – Criminal Law

Section 13–1512

to be Section 13–1513

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Criminal Law

Section 13-1512  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 129 – Senator Glassman**

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 Education, Health, and Environmental Affairs.

**Senate Bill 130 – Senator Glassman**

AN ACT concerning

**Income Tax – Subtraction Modification – Community Emergency Response  
Team**

FOR the purpose of making certain members of a Community Emergency Response Team 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 a Community Emergency Response Team unless the Community Emergency Response Team 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 a Community Emergency Response Team.

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 Budget and Taxation.

**Senate Bill 131 – Senator Brinkley**

AN ACT concerning

**Maryland Water Quality Revolving Loan Fund – Loan Forgiveness**

FOR the purpose of stating the intent of the General Assembly that a certain provision authorizing the use of funds from the Maryland Water Quality Revolving Loan Fund to forgive loan principal as authorized or required by certain federal laws be construed to apply to loans made on or after a certain date; and generally relating to the use of the Maryland Water Quality Revolving Loan Fund.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605(a)(1) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 132 – Senators Pugh, Currie, Jones–Rodwell, Kelley, Madaleno, Manno, Montgomery, Peters, and Raskin**

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 Finance.

### **Senate Bill 133 – Senator Stone**

AN ACT concerning

#### **Criminal Procedure – Discharge from Commitment of Person Previously Found Not Criminally Responsible – Judicial Hearing**

FOR the purpose of authorizing a court on its own initiative or on motion of a party to hold a certain de novo hearing after receiving a report of recommendations from the Office of Administrative Hearings regarding discharge from commitment of a person previously found not criminally responsible; providing that a certain committed person is entitled to be present and represented at a certain hearing; authorizing a court to continue a certain hearing for the purpose of taking additional evidence; providing that a determination made by a court on whether evidence taken by the Office indicates that a certain committed person proved eligibility for release be made as a matter of law; providing that a determination made by a court on whether evidence taken by the court itself indicates that a certain committed person proved eligibility for release be made as a matter of fact and law; and generally relating to judicial hearings regarding the release from commitment of persons found not criminally responsible.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 3-114, 3-115, and 3-116

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3-117 and 3-118

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 134 – Senator Stone**

AN ACT concerning

**Criminal Procedure – Indecent Exposure – Sex Offender Registry**

FOR the purpose of altering the definition of tier I sex offender for purposes of provisions relating to a certain sex offender registry to include a person who has been convicted of the offense of indecent exposure under certain circumstances; and generally relating to certain sex offender registration and indecent exposure.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(o)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–107  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 135 – Senator Stone**

AN ACT concerning

**Criminal Law – Attempted Sexual Offense in the Third Degree – Penalties**

FOR the purpose of prohibiting a person from attempting to commit a sexual offense in the third degree; providing criminal penalties for a violation of this Act; and generally relating to sexual offenses in the third degree.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Criminal Law

Section 3–312.1

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**Senate Bill 136 – Senator Stone**

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 Finance.

**Senate Bill 137 – Senators Kasemeyer and Jennings**

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 Budget and Taxation.

### **Senate Bill 138 – Senator Zirkin**

AN ACT concerning

#### **Courts – Evidence – Unpaid Bills and Written Estimates for Goods or Services**

FOR the purpose of providing that, on certain testimony by a party or certain other persons, an unpaid bill or a written estimate for goods or services is admissible to prove, without the testimony of the provider of the goods or services, that the estimate or unpaid bill is authentic and that the charges of the provider are fair and reasonable; making certain provisions concerning the admissibility of paid bills for goods or services apply to unpaid bills and written estimates for goods and services; providing for the application of this Act; and generally relating to the admissibility of unpaid bills and written estimates for goods or services as evidence of certain matters in certain civil trials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–105  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 139 – Senator Zirkin**

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 Judicial Proceedings.

**Senate Bill 140 – Senator Zirkin**

AN ACT concerning

**Courts – Service of Process – Motor Vehicle Administration as Agent for Resident Driver**

FOR the purpose of expanding provisions of law designating the Motor Vehicle Administration as the agent for a nonresident driver with respect to a certain subpoena, summons, or other process to apply to any person driving or attempting to drive a motor vehicle in the State; requiring the Administration to serve as an agent for service of certain papers under certain circumstances, take certain actions, and report certain information annually to the General Assembly; authorizing the Administration to establish and collect a certain fee; requiring a party seeking service to mail in a certain manner a copy of a certain affidavit to a driver's motor vehicle insurer under certain circumstances; making conforming and clarifying changes; providing for the application of this Act; and generally relating to service of process on a driver of a motor vehicle 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, without amendments,  
Article – Transportation  
Section 11–135  
Annotated Code of Maryland  
(2009 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 Judicial Proceedings.

**Senate Bill 141 – Senators Zirkin, Brochin, and Getty**

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 Education, Health, and Environmental Affairs.

**Senate Bill 142 – Senators Zirkin and Raskin**

AN ACT concerning

**Civil Action – Disclosure of Information – Repeal of Certification Requirement**

FOR the purpose of repealing the requirement that a plaintiff file a certain certification with the court and serve the certification on an insurer or person that has a self-insurance plan before the insurer or person with a self-insurance plan is required to provide the plaintiff with certain information on the last known home and business addresses of the defendant; making a stylistic change; providing for the application of this Act; and generally relating to the disclosure of information in a civil action.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### MOTION

Senator Garagiola moved to suspend the rules to allow **Senate Bills 143–147** (Departmental Bills) and **Senate Bills 173–183** (Administration Bills) to be referred to the appropriate committee.

The motion was adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 41)

### INTRODUCTION OF BILLS

**Senate Bill 143 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

#### **Home Inspectors – Records – Retention Requirements**

FOR the purpose of requiring licensed home inspectors to retain certain records for a certain period of time under certain circumstances; requiring licensed home inspectors to make certain records available to the State Commission of Real Estate Appraisers and Home Inspectors on the request of the Commission; and generally relating to record retention by home inspectors.

BY adding to  
Article – Business Occupations and Professions  
Section 16–4A–05  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 144 – Chair, Finance 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 Finance.

**Senate Bill 145 – Chair, Budget and Taxation 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 Budget and Taxation.



**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Licensing**

FOR the purpose of authorizing the State Board of Veterinary Medical Examiners to require an applicant for a license to practice veterinary medicine, a veterinarian, or a veterinary practitioner to submit to a mental or physical examination under certain circumstances; providing that an applicant, a veterinarian, or a veterinary practitioner has consented to submit to an examination if directed by the Board; providing that an applicant, a veterinarian, or a veterinary practitioner waives any claim of privilege regarding a report of an exam under this Act; providing that the report or testimony of an examining physician or other person is confidential, except under certain circumstances; providing that the failure to submit to an examination under this Act is prima facie evidence of the inability to practice veterinary medicine, subject to certain findings by the Board; requiring the Board to pay the reasonable cost of any examination made under this Act; clarifying that the Board's authority to refuse, suspend, or revoke an application or license applies to veterinary practitioners; repealing and replacing obsolete terminology; clarifying that the Board may refuse, suspend, or revoke a license if an individual is determined to be professionally incompetent; defining a certain term; and generally relating to the authority of the State Board of Veterinary Medical Examiners.

BY adding to

Article – Agriculture  
Section 2–301(b–1) and 2–307.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture  
Section 2–301(h) and (i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 2–310  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 147 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Continuing Professional Competency**

FOR the purpose of requiring the State Commission of Real Estate Appraisers and Home Inspectors to adopt regulations to require a demonstration of continuing professional competency of a certain number of educational hours as a condition of renewal of a license to provide home inspection services; providing for the implementation of the continuing professional competency requirement on a phased-in basis; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 16–3A–07  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**INTRODUCTION OF BILLS**

**Senate Bill 148 – Senator Currie**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County – Largo High School PTSA Track Renovation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to reduce the amount of a matching fund a certain grantee must provide; changing the name of a certain grantee to the Prince George’s County Board of Education; extending the deadline for a certain grantee to present evidence that a matching fund will be provided; making this Act an emergency measure; 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 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA02(BH)

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

**Senate Bill 149 – Senator Currie**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Forestville Military Academy Track**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to reduce the amount of a matching fund a certain grantee must provide; changing the name of a certain grantee to the Prince George’s County Board of Education; extending the deadline for a certain grantee to present evidence that a matching fund will be provided; making this Act an emergency measure; 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 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BE)

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

**Senate Bill 150 – Senators Garagiola, Astle, Benson, Conway, DeGrange,  
Forehand, Frosh, Jones–Rodwell, Klausmeier, Madaleno, Manno,  
Middleton, Montgomery, Raskin, Rosapepe, and Stone**

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 Education, Health, and  
Environmental Affairs.

**Senate Bill 151 – Senators Frosh, Benson, Gladden, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Zirkin**

AN ACT concerning

**Child Care Articles – Bisphenol–A – Prohibition**

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain child care articles containing bisphenol–A on or after a certain date; requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date; altering a certain definition; making stylistic and conforming changes; and generally relating to prohibitions on bisphenol–A in child care articles.

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 Finance.

**Senate Bill 152 – Senator Simonaire**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Anne Arundel County –  
Historical Freetown Renovation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of the Freetown Improvement Association 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, 2012.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 372 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(M)

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

**Senate Bill 153 – Senator Colburn**

AN ACT concerning

**Reorganization of State Government – Consolidating the Department of the Environment into the Department of Natural Resources**

FOR the purpose of restructuring State government by the consolidation of the Department of the Environment into the Department of Natural Resources; abolishing the Department of the Environment by a certain date; abolishing certain positions under the Department of the Environment by a certain date; transferring all of the functions, powers, duties, equipment, assets, and liabilities of the Department of the Environment to the Department of Natural Resources as of a certain date; transferring all of the boards, commissions, programs, funds, and units of the Department of the Environment to the Department of Natural Resources as of a certain date, subject to a certain plan; providing for the meaning of certain names and titles in certain documents; requiring the Secretary of Budget and Management, in conjunction with the Secretary of Natural Resources and the Secretary of the Environment, to develop the plan and to include certain elements, including necessary legislation, certain provisions, a certain inventory, and a certain budget reduction goal by a certain year; requiring the plan to provide certain employees with a transfer option meeting certain requirements; providing for the transfer of certain appropriations to the Department of Natural Resources on or before a certain date; providing certain transitional provisions relating to the continuity of certain terms of office in a certain division, board, commission, authority, council, committee, office, or unit; providing for the continuity of certain rights, duties, or interests flowing from certain transactions entered into before a certain date; requiring the publisher of the Annotated Code of Maryland, in consultation with, and subject to the approval of, the Department of Legislative Services, to correct certain cross–references and terminology; providing for the continuity of certain laws and regulations, proposed regulations, and other duties and responsibilities; providing continuity for a certain license, registration, or certification; providing continuity for certain bonds and other financial instruments; requiring the Governor to include a certain appropriation in the State budget for a certain year that is consistent with the plan and that conforms to certain budget figures for a certain other year; repealing certain inconsistent laws; requiring the Secretary of Natural Resources to submit a report containing certain information to the Governor and the General Assembly on or before certain dates; making the provisions of this Act severable; defining a certain term; making certain stylistic changes and deleting an obsolete reference; and generally relating to restructuring State government by the consolidation of the Department of the Environment into the Department of Natural Resources.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1–101, 1–102(a) and (b), and 1–104(a), (c), (d), (g), and (i)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing

Article – Natural Resources  
Section 1–104(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 154 – Senators Colburn and Glassman**

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Assignment of Benefits**

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 under certain circumstances; providing that an insured, a subscriber, or an enrollee of certain health insurance carriers may not be liable to certain ambulance service providers for certain services under certain circumstances; prohibiting certain ambulance service providers from taking certain actions against an insured, a subscriber, or an enrollee under certain circumstances; authorizing the ambulance service providers to collect certain payments from an insured, a subscriber, or an enrollee under certain circumstances; providing for the application of this Act; defining certain terms; 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 15–138  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 155 – Senators Colburn and Pipkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Legislative Districting – Resident Delegates by County**

FOR the purpose of amending the Maryland Constitution to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 4

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

**Senate Bill 156 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

**Senate Bill 157 – Senators Colburn and Pipkin**

AN ACT concerning

**Code Home Rule Counties – Development Excise Tax for School Construction  
– Applicability**

FOR the purpose of clarifying that the development excise tax that a code home rule county is authorized to impose applies to new residential units including apartments and condominiums; providing that the development excise tax is

imposed on a multifamily residential project when the building permit is issued for the residential units; defining a certain term; and generally relating to the authority of code home rule counties to impose a development excise tax.

BY repealing and reenacting, with amendments,  
Article 25B – Home Rule for Code Counties  
Section 13F  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 158 – Senator Colburn**

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 Budget and Taxation.

### **Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 160 – Senators Frosh, Benson, Conway, Kelley, Madaleno, Manno, Montgomery, Pinsky, and Raskin**

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 Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

**Senate Bill 161 – Senators Frosh, Benson, Conway, Forehand, Kelley, Madaleno, Manno, Montgomery, Pinsky, Pugh, Raskin, and Rosapepe**

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 Judicial Proceedings.

**Senate Bill 162 – Senators Frosh, Benson, Conway, Ferguson, Forehand, Kelley, Madaleno, Manno, Montgomery, Pinsky, Pugh, and Rosapepe**

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 Judicial Proceedings.

**Senate Bill 163 – Senators Brinkley and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 164 – Senators Brinkley and Young**

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 Budget and Taxation.

**Senate Bill 165 – Senators Brinkley and Young**

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 Budget and Taxation.

**Senate Bill 166 – Senators Brinkley and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 167 – Senators Ramirez, Madaleno, Benson, Conway, Currie, Ferguson, Forehand, Garagiola, Gladden, Jones–Rodwell, Kelley, King, Manno, Montgomery, Pinsky, Pugh, Raskin, and Robey**

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 Education, Health, and Environmental Affairs.

**Senate Bill 168 – Senators Jones–Rodwell, Madaleno, Benson, Conway, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Manno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, and Rosapepe**

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 Budget and Taxation and Committee on Finance.

### **Senate Bill 169 – Senator Ramirez**

AN ACT concerning

#### **Bankruptcy – Homestead Exemption – Debtor’s Residence**

FOR the purpose of altering the categories of dwelling units that qualify for the homestead exemption that an individual may claim in a certain bankruptcy proceeding; providing that the exemption is limited to a certain amount of an individual debtor’s aggregate interest in owner–occupied real or personal property, an owner–occupied condominium unit, or a cooperative that owns property that the debtor occupies as a residence; providing for the application of this Act; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 11–504  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 170 – Senator McFadden**

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 Budget and Taxation.

**Senate Bill 171 – Senators Kelley, Conway, Jacobs, Jones–Rodwell, Kasemeyer, Manno, Montgomery, Pugh, Rosapepe, and Stone**

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 Judicial Proceedings.

**Senate Bill 172 – Senators McFadden, Kelley, and Miller**



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 Judicial Proceedings.

**MOTION**

Senator Garagiola moved to suspend the rules to allow **Senate Bills 143–147** (Departmental Bills) and **Senate Bills 173–183** (Administration Bills) to be referred to the appropriate committee.

The motion was adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 41)

**INTRODUCTION OF BILLS**

**Senate Bill 173 – The President (By Request – Administration) and Senators Astle, Brochin, Forehand, King, Manno, Peters, Raskin, Robey, Stone, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 174 – The President (By Request – Administration) and Senators Astle, Brochin, Forehand, Gladden, Manno, Peters, Raskin, Robey, Stone, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 175 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, King, Klausmeier, Madaleno, Manno, Mathias, Montgomery, Pinsky, Ramirez, Raskin, and Rosapepe**

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 Finance.

**Senate Bill 176 – The President (By Request – Administration) and Senators Garagiola, Klausmeier, Astle, King, Madaleno, and Rosapepe**

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 Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 177 – The President (By Request – Administration) and Senators DeGrange, Robey, King, Madaleno, Garagiola, Klausmeier, and Rosapepe**

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 Budget and Taxation.

**Senate Bill 178 – The President (By Request – Administration) and Senators King, Benson, DeGrange, Forehand, Garagiola, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Ramirez, Raskin, Stone, Young, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 179 – The President (By Request – Administration) and Senators Klausmeier, Astle, Garagiola, and Rosapepe**

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 Finance.

**Senate Bill 180 – The President (By Request – Administration) and Senators Peters, Colburn, Currie, DeGrange, Garagiola, Manno, McFadden, Pugh, Raskin, Robey, and Zirkin**

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 Budget and Taxation.

**Senate Bill 181 – The President (By Request – Administration)**

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 Finance.

**Senate Bill 182 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, and Rosapepe**

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 Finance and the Committee on Budget and Taxation.

**Senate Bill 183 – The President (By Request – Administration) and Senators Middleton, Benson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Manno, Mathias, Montgomery, Pinsky, Ramirez, Raskin, and Rosapepe**

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 Finance.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**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**

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

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 98 – Senator McFadden**

AN ACT concerning

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

Reassigned to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

### **ANNOUNCEMENT OF THE COUNTY DELEGATION CHAIRS**

January 24, 2011

The Prince George's County Delegation makes the following announcement:

Chair – Senator Douglas J.J. Peters

The Montgomery County Delegation makes the following announcement:

Chair – Senator Richard S. Madaleno, Jr.

The Baltimore County Delegation makes the following announcement:

Chair – Senator Katherine Klausmeier

The Carroll County Delegation makes the following announcement:

Chair – Senator Joseph Getty

The Frederick County Delegation makes the following announcement:

Chair – Senator David R. Brinkley

Read and ordered journalized.

### **ANNOUNCEMENT BY THE SENATE MINORITY CAUCUS**

January 21, 2011

The Senate Minority Caucus met on January 21, 2011 for the purpose of electing the Minority floor leaders for the 2011 Legislative Session. The following members have been selected:

Minority Leader:	Honorable Nancy Jacobs – District 34
Minority Whip:	Honorable EJ Pipkin – District – 36

Read and ordered journalized.

### **QUORUM CALL**

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

(See Roll Call No. 42)

**ADJOURNMENT**

At 8:37 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 25, 2011.

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**Annapolis, Maryland**  
**Tuesday, January 25, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:06 A.M.

Prayer by Reverend Doctor William F. R. Gilory, St. John Lutheran Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 44)

**INTRODUCTION OF BILLS**

**Senate Bill 184 – Senator Astle**

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 Budget and Taxation.

**Senate Bill 185 – Senators Astle and Reilly**

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 Budget and Taxation.

**Senate Bill 186 – Senators Astle and Reilly**

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 Budget and Taxation.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 45)

### **ADJOURNMENT**

At 10:17 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 26, 2011.



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**Annapolis, Maryland**  
**Wednesday, January 26, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Reverend Dan Mucci, Abundant Life Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 25, 2011 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 47)

**INTRODUCTION OF BILLS**

**Senate Bill 187 – Senator Kittleman**

AN ACT concerning

**Procurement – Prevailing Wage – School Construction**

FOR the purpose of increasing to a certain amount the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies; altering certain definitions; and generally relating to the application of the Prevailing Wage Law to elementary or secondary school construction.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), 17–210(a) and (c), and 17–214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(i) and (j)  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 188 – Senators Kittleman, Astle, Brinkley, Brochin, Colburn, Conway, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, McFadden, Middleton, Peters, Pipkin, Raskin, Reilly, Shank, Simonaire, and Young**

AN ACT concerning

**Recreational Fishing Licenses – Exemption for Disabled Armed Forces Members**

FOR the purpose of creating an exemption from the requirement to obtain a recreational fishing license under certain circumstances for a person who serves in the armed forces and has a service-connected disability; clarifying that the exemption applies to certain fishing activities; and generally relating to exemptions from the requirement to obtain a recreational fishing license.

BY adding to

Article – Natural Resources

Section 4–217.1

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–604(b) and 4–614(a)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–604(c), 4–614(a)(2), and 4–745(a)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 189 – Senators Peters, Colburn, Currie, Glassman, Jones–Rodwell, King, Manno, McFadden, Muse, Robey, and Rosapepe**

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 Budget and Taxation.

**Senate Bill 190 – Senators Peters, Astle, Colburn, DeGrange, Edwards,  
Garagiola, Glassman, Jacobs, King, Klausmeier, McFadden, Muse,  
Reilly, Robey, Rosapepe, Simonaire, Stone, and Young**

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 Budget and Taxation.

**Senate Bill 191 – Senator Edwards**

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 Judicial Proceedings.

**Senate Bill 192 – Harford County Senators**

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 Education, Health, and Environmental Affairs.

**Senate Bill 193 – Senators Brochin and Raskin**

AN ACT concerning

**Family Law – Divorce – Required Mediation**

FOR the purpose of requiring a circuit court, in divorce actions involving certain family disputes, to issue an order requiring the parties to participate in mediation; prohibiting the court from ordering mediation under certain circumstances; requiring the court to select a certain mediator if the parties do not agree on a mediator; providing for the payment of costs; authorizing the Court of Appeals to adopt rules to implement this Act; defining certain terms; and generally relating to mediation of family disputes in certain divorce actions.

BY adding to

Article – Family Law

Section 7–108

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 194 – Senator Pinsky**

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 Budget and Taxation.

### **Senate Bill 195 – Senators Garagiola, Forehand, Frosh, King, Madaleno, Manno, Montgomery, and Raskin**

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 Budget and Taxation.

**Senate Bill 196 – Senators Garagiola, Astle, Colburn, Currie, DeGrange, Forehand, Glassman, Jacobs, Kelley, Middleton, Montgomery, Peters, Pugh, Ramirez, Stone, and Young**

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 Judicial Proceedings.

**Senate Bill 197 – Senator Astle**

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 Budget and Taxation.

**Senate Bill 198 – Senator Glassman**

AN ACT concerning

**Stormwater Management – Regulations – Applicability**

FOR the purpose of providing that the subdivision of a single lot into a certain number of lots is governed by the stormwater management ordinance in effect on a certain date if the additional lot has certain characteristics; 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 Education, Health, and Environmental Affairs.

**Senate Bill 199 – Senator Glassman**

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 Budget and Taxation.

**Senate Bill 200 – Senator Zirkin**

AN ACT concerning

**Juvenile Services – Recidivism – Reporting**

FOR the purpose of requiring the Secretary of Juvenile Services to report to the General Assembly on or before a certain date each year on the recidivism rates of children committed to the Department of Juvenile Services for placement; establishing that the report shall include recidivism rates by certain regions and by certain facilities; specifying certain requirements for the report; and generally relating to a report on recidivism rates of children committed to the Department of Juvenile Services for placement.

BY adding to

Article – Human Services

Section 9–204(i)

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

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

**Senate Bill 201 – Senators Pugh, Conway, Ferguson, Jones–Rodwell, and McFadden**

AN ACT concerning

**Baltimore City – Age for Compulsory Public School Attendance – Exemption**

FOR the purpose of altering, in Baltimore City, 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 Baltimore City.

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 Education, Health, and Environmental Affairs.

**Senate Bill 202 – Senators Middleton, Kasemeyer, Astle, Currie, Ferguson, King, Madaleno, Manno, Mathias, McFadden, Montgomery, Pugh, Raskin, and Zirkin**

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 Finance.

**Senate Bill 203 – Senators Montgomery, Benson, Forehand, Garagiola, Glassman, Kasemeyer, Kelley, King, Madaleno, Manno, Middleton, Pinsky, Pugh, Ramirez, Raskin, Robey, and Rosapepe**

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 Finance.

**Senate Bill 204 – Senators Forehand, Garagiola, Jacobs, Montgomery, Muse,  
Ramirez, Raskin, Shank, Simonaire, and Stone**

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 Judicial Proceedings.

**Senate Bill 205 – Senator Frosh**

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 Judicial Proceedings.

**Senate Bill 206 – Senator Frosh**

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 Judicial Proceedings.

**Senate Bill 207 – Calvert County Senators**

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 Budget and Taxation.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 48)

### **ADJOURNMENT**

At 10:28 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 27, 2011.

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**Annapolis, Maryland**  
**Thursday, January 27, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer by Reverend Tracey Davenport, Harundale Presbyterian Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 26, 2011 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Conway, Dyson, Madaleno and Muse be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 51)

**INTRODUCTION OF BILLS**

**Senate Bill 208 – Senators Stone, Jacobs, and Klausmeier**

AN ACT concerning

**Criminal Procedure – Sexual Offenders – Tracking Device as 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 has been convicted of a certain offense for the second time or who is required to register as a sex offender for a term of life 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 term of life an electronic tracking device provided by the Department; requiring a person ordered by the court to register for electronic tracking as a condition of probation to register for electronic tracking with the Department, to wear at all

times and for a certain length of time an electronic tracking device, and, with a certain exception, to pay the cost of electronic tracking established 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 timely 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 failing to register under this Act, failing to wear a certain electronic tracking device, or 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 Judicial Proceedings.

### **Senate Bill 209 – Senators Kelley and Raskin**

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; 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 2010 Supplement)

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

**Senate Bill 210 – Senators Kelley, Conway, Jones-Rodwell, Middleton, and Pugh**

AN ACT concerning

**Real Estate Settlements – Paying or Receiving Consideration – Penalties**

FOR the purpose of providing that a certain person who violates a provision of law that prohibits paying or receiving consideration in connection with real estate settlements may be subject to certain disciplinary action; authorizing certain licensing authorities to take certain disciplinary action against a certain licensee; and generally relating to paying or receiving consideration in connection with real estate settlements.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14-127  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)



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

**Senate Bill 211 – Senators Kelley and Stone**

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 Judicial Proceedings.

**Senate Bill 212 – Senators Klausmeier, Edwards, and Kittleman**

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 Finance.

**Senate Bill 213 – Senators Simonaire, Astle, and Reilly**

AN ACT concerning

**Anne Arundel County – Drug-Free Zones Pilot Program – Public Parks and  
Recreation Areas**

FOR the purpose of prohibiting a person in Anne Arundel County from manufacturing, distributing, dispensing, or possessing with intent to distribute a controlled dangerous substance in violation of a certain provision, or conspiring to commit the crimes, in a public park or recreation area; establishing certain penalties for a violation of this Act; establishing that a certain mandatory minimum penalty may not be suspended; establishing the ineligibility for parole for a certain person except under certain circumstances; requiring a sentence for a violation of this Act to be consecutive to any other sentence; establishing that a conviction for a violation of this Act may not merge with certain other convictions; authorizing the county to post certain signs; providing for the termination of this Act; and generally relating to drug-free zones in Anne Arundel County.

BY adding to

Article – Criminal Law  
Section 5–629  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 214 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

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 Education, Health, and Environmental Affairs.

**Senate Bill 215 – Senator Jones–Rodwell**

AN ACT concerning

**Maryland Community Enhancement Transit–Oriented Development Fund**

FOR the purpose of establishing the Maryland Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; requiring that a certain portion of certain revenues from certain projects and certain other money be paid into the Fund; requiring the Comptroller to pay certain money from the Fund to certain local governing bodies in a certain manner; authorizing local governing bodies to use or make awards of money received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; stating certain findings of the General Assembly; providing for the purposes of certain provisions of this Act; defining certain terms; and generally relating to the Maryland Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 1–101(e)

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY adding to

Article – Economic Development

Section 15–101 through 15–106 to be under the new title “Title 15. Maryland Community Enhancement Transit–Oriented Development Fund”

Annotated Code of Maryland

(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 10–306

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 7–101(m)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 216 – Senators Frosh, Forehand, Garagiola, King, Madaleno, Manno, Montgomery, and Raskin**

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 Budget and Taxation.

**Senate Bill 217 – Senator Kelley**

AN ACT concerning

**Life Insurance and Annuities – Retained Asset Accounts – Beneficiaries' Bill of Rights**

FOR the purpose of prohibiting an insurer from using a certain retained asset account as the mode of settlement of the proceeds payable under a life insurance policy or annuity contract unless the insurer discloses the option of using a retained asset account to the beneficiary or the beneficiary's legal representative at a certain time; requiring the insurer to inform the beneficiary of the right to receive a lump-sum payment of certain proceeds in a certain form; requiring an insurer to ensure that a complete description and explanation, in a certain format, of all of the payment options for certain proceeds available to the beneficiary be made at a certain time under certain circumstances; requiring that certain information be included in the description and explanation of payment options for certain proceeds; requiring the description and explanation to be in a certain form; requiring insurers to report certain information about retained asset accounts to the Maryland Insurance Administration; requiring an insurer to immediately return any remaining balance in a retained asset account to the beneficiary if the account becomes inactive in a certain manner; providing that failure to meet certain requirements of this Act is an unfair trade practice and a violation of certain provisions of the Insurance Article; providing

for the applicability of this Act; and generally relating to retained asset accounts under life insurance and annuities.

BY adding to

Article – Insurance

Section 16–117

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 218 – Senator Shank**

AN ACT concerning

#### **Public Safety – Law Enforcement Officers’ Bill of Rights – Internal Investigation Unit**

FOR the purpose of including the Internal Investigation Unit of the Department of Public Safety and Correctional Services in the definition of law enforcement officer covered by the Law Enforcement Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–101(e)

Annotated Code of Maryland

(2003 Volume and 2010 Supplement)

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

### **Senate Bill 219 – Senators Frosh, Forehand, Garagiola, King, Madaleno, Manno, Montgomery, and Raskin**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Imagination Stage**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$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 Budget and Taxation.

**Senate Bill 220 – Senator Gladden**

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 Education, Health, and Environmental Affairs and the Committee on Judicial Proceedings.

**Senate Bill 221 – Senator Conway****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 Education, Health, and Environmental Affairs.

**Senate Bill 222 – Senators Kittleman, Colburn, Getty, Glassman, Jacobs, Jennings, Pipkin, and Shank**

AN ACT concerning

**Procurement – Living Wage – Repeal**

FOR the purpose of repealing the provisions of law regarding the living wage for State contracts; repealing the requirement that certain employers pay certain hourly wages to employees who work on certain State contracts; repealing the requirement that the Commissioner of Labor and Industry adjust and publish certain wages; repealing the requirement that the Commissioner adopt certain regulations; repealing the authority of the Commissioner to require certain employers to keep certain records and submit certain reports; repealing the requirement that the Commissioner make certain assessments regarding the appropriateness of certain measures and placements under the living wage requirements; repealing the requirement that certain employers post certain information regarding the living wage; repealing certain requirements regarding the filing, investigation, and resolution of violations of the living wage requirements; repealing provisions regarding the filing of actions for the violation of living wage requirements; and generally relating to the repeal of the living wage law.

BY repealing  
Article – State Finance and Procurement  
Section 18–101 through 18–109 and the title “Title 18. Living Wage”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 223 – Senator Simonaire**



AN ACT concerning

**Environment – Marine Contractor Services – Boat Lifts**

FOR the purpose of exempting the installation or repair of boat lifts from certain marine contractor licensure requirements by altering a certain definition; and generally relating to marine contractor services.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 17–101(a) and (e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 17–101(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 224 – Senators Simonaire, Benson, Brochin, Edwards, Ferguson, Getty, Glassman, Jacobs, Jennings, Kelley, King, Kittleman, Manno, Montgomery, Muse, Peters, Pipkin, Raskin, Reilly, Shank, Stone, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 225 – Senators Dyson and Middleton**

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 Education, Health, and Environmental Affairs.

**Senate Bill 226 – Senator Dyson**

AN ACT concerning

**Bicycle and Pedestrian Advisory Committee – Meetings**

FOR the purpose of altering a certain provision of law relating to the location and frequency of meetings of the Bicycle and Pedestrian Advisory Committee; and generally relating to meetings of the Bicycle and Pedestrian Advisory Committee.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–606  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 227 – Senators Dyson and Middleton**

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 Education, Health, and Environmental Affairs.

**Senate Bill 228 – Senators Glassman, Astle, Garagiola, Jennings, Kelley, Klausmeier, Middleton, Montgomery, Pipkin, Pugh, Shank, and Simonaire**

AN ACT concerning

**Agricultural Product Sales – Producer Mobile Farmer’s Market License –  
Public Festival and Event Authorization**

FOR the purpose of altering a certain definition to exclude the sale of certain raw agricultural products at a public festival or event from regulation as a food service facility; prohibiting a local jurisdiction from requiring a license for the sale of raw agricultural products at a public festival or event; authorizing a producer mobile farmer’s market licensee to sell certain products at a public festival or event; authorizing a seasonal farmer’s market producer sampling licensee to prepare and offer samples of a farm product at a public festival or event; requiring a seasonal farmer’s market producer sampling license to be valid at any public festival or event in the county issuing the license; defining a certain term; and generally relating to the sale of agricultural products by farmers.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–301(a), 21–304(a)(1), 21–305(c), and 21–308(a) and (c)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health – General

Section 21–301(i–1)

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

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(h), 21–304(d), 21–309.1, and 21–309.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 229 – Senators Brochin, Frosh, and Raskin**

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 Education, Health, and Environmental Affairs.

**Senate Bill 230 – Senators King, Benson, Currie, DeGrange, Forehand, Garagiola, Madaleno, Middleton, Montgomery, Robey, and Stone**

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 Judicial Proceedings.

**Senate Bill 231 – Senators King, Forehand, Frosh, Garagiola, Madaleno, Manno, and Montgomery**

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 Budget and Taxation.

**Senate Bill 232 – Senators King, Forehand, Frosh, Garagiola, Madaleno, Manno, and Montgomery**

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 Budget and Taxation.

**Senate Bill 233 – Senators King, Forehand, Frosh, Garagiola, Madaleno, Manno, and Montgomery**

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 Budget and Taxation.

**Senate Bill 234 – Chair, Education, Health, and Environmental Affairs 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 Education, Health, and Environmental Affairs.

**Senate Bill 235 – Chair, Education, Health, and Environmental Affairs Committee**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Board of Master Electricians – Sunset Extension, Revision, and Report**

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; requiring the Department to convene a certain group of interested and affected parties to make certain recommendations regarding the establishment of a State Board of Electricians; establishing the membership of the group; requiring the Secretary of Labor, Licensing, and Regulation to submit a certain report and draft legislation to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee on or before a certain date; requiring the Division to investigate the feasibility of certain special funding authority for a State Board of Electricians under certain circumstances; requiring the Division to investigate certain fee-setting authority for a State Board of Electricians under certain circumstances; requiring the Division to study certain methods of funding; 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 Education, Health, and Environmental Affairs.

**Senate Bill 236 – Chair, Education, Health, and Environmental Affairs 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 Education, Health, and Environmental Affairs.

The Fallen Heroes Day Speech was presented by Senator Douglas Peters.

### **QUORUM CALL**

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

(See Roll Call No. 53)

### **ADJOURNMENT**

At 10:32 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 28, 2011, in Honor of our Fallen Heroes.

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**Annapolis, Maryland**  
**Friday, January 28, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:09 A.M.

Prayer by Reverend James G. Kirk (Retired), Harundale Presbyterian Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 27, 2011 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Conway, Raskin and Robey be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 55)

**INTRODUCTION OF BILLS**

**Senate Bill 237 – Senators Shank, Getty, Klausmeier, Simonaire, and Stone**

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 Judicial Proceedings.

**Senate Bill 238 – Senators Shank, Brinkley, Glassman, Jacobs, Jennings,  
Reilly, and Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 239 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

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 Judicial Proceedings.

**Senate Bill 240 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

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 Judicial Proceedings.

**Senate Bill 241 – Senators Pugh, Conway, Currie, Garagiola, Glassman,  
Jones–Rodwell, Kelley, King, Madaleno, McFadden, Pinsky, and Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 242 – Senators Pugh, Currie, and Madaleno**

AN ACT concerning

**Correctional Services – Prerelease Unit – Inmate Aftercare Plans**

FOR the purpose of requiring the Commissioner of Correction to operate a prerelease unit within the Division of Correction; requiring the Commissioner to develop certain prerelease services and make the services available to inmates of the prerelease unit; requiring the warden or administrator or a certain designee to develop a certain aftercare plan for an inmate before the inmate is released from the prerelease unit; requiring that an aftercare plan for an inmate include certain information; authorizing the Division to arrange for a certain person or governmental unit to provide certain services; authorizing the Commissioner to contract with certain persons or government authorities to provide certain services; and generally relating to the establishment of a prerelease unit and development of inmate aftercare plans.

BY adding to

Article – Correctional Services

Section 3–1001 through 3–1004 to be under the new subtitle “Subtitle 10.  
Prerelease Unit and Inmate Aftercare Plans”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 243 – Senators Pugh, Colburn, and McFadden****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 Budget and Taxation.

**Senate Bill 244 – Senators Pugh and Stone**

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 Finance.

### **Senate Bill 245 – Senator Pugh**

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 Finance.

**Senate Bill 246 – Senator Pugh**

AN ACT concerning

**Video Lottery Facility Location Commission – Financial Impact of Additional Games – Study**

FOR the purpose of requiring the Video Lottery Facility Location Commission to conduct a certain study to assess the financial impact of offering certain games in video lottery facilities; requiring the Commission to report to the General Assembly on or before a certain date; and generally relating to video lottery facilities.

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

**Senate Bill 247 – Senators Raskin, Colburn, Forehand, Frosh, Garagiola, Gladden, Jennings, King, Madaleno, Pugh, Shank, Stone, Young, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 248 – Senators Raskin, Astle, Benson, Brinkley, Brochin, Colburn, Dyson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Madaleno, Manno,**

**Montgomery, Muse, Pinsky, Pipkin, Pugh, Ramirez, Reilly, Robey,  
Shank, Young, and Zirkin**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 249 – Senator Mathias**

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 Budget and Taxation.

### **Senate Bill 250 – Senator Peters**

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 Budget and Taxation.

**Senate Bill 251 – Senator Peters**

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 Budget and Taxation.

**Senate Bill 252 – Senator Edwards**

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 Finance.

**Senate Bill 253 – Senator Edwards**

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 Education, Health, and Environmental Affairs.

**Senate Bill 254 – Senators Middleton, Colburn, Dyson, Garagiola, Glassman, Jennings, Klausmeier, Mathias, Pipkin, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 255 – Senator Middleton**

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 Finance.

### **Senate Bill 256 – Senators Middleton and Kelley**

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 Finance.

**Senate Bill 257 – Senators Stone, Jacobs, Klausmeier, and Simonaire**

AN ACT concerning

**Vehicle Laws – Accidents Resulting in Death – Appearance in Court for  
Traffic Citations**

FOR the purpose of requiring a person who receives a traffic citation for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in a certain writ or trial notice by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 258 – Senator Montgomery**

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 Education, Health, and Environmental Affairs.

**Senate Bill 259 – Senator Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 260 – Senators Astle, DeGrange, Reilly, and Simonaire**

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 Budget and Taxation.

**Senate Bill 261 – Senators Frosh, Forehand, Gladden, Madaleno, Manno,  
Pugh, and Raskin**

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 Judicial Proceedings.

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 1 – Senators Shank, Brinkley, Jacobs, Jennings,  
Pipkin, Reilly, and Simonaire**

A Senate 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 Budget and Taxation.

### **Senate Joint Resolution 2 – Senator Edwards**

A Senate 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 Finance.

#### **THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1**

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

#### **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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

#### **THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2**

Senator Frosh, Chair, for the Committee on Judicial Proceedings moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 63 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Police and Correctional Training Commissions – Staff – Appointing and  
Supervisory Authority**

The bill was re-referred to the Committee on Finance.

**THE COMMITTEE ON FINANCE REPORT #1**

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

**Senate Bill 44 – Senator Middleton**

AN ACT concerning

**Insurance – Qualified State Long-Term Care Insurance Partnership Program  
– Reporting**

**SB0044/477275/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 44

(First Reading File Bill)

On page 1, in line 2, strike “Insurance –”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 57 – Chair, Finance Committee (By Request – Departmental –  
Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Certificate of Need Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Judicial Review of Board of Appeals Decision – Passage of Order**

**SB0058/857471/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 58  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 5, after “proceeding;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike beginning with “shall” in line 32 down through “2011” in line 33 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 59 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Company Action Level Events – Health Insurers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Administration of Claims – Changes to Withholding Status**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 230 – Senators King, Benson, Currie, DeGrange, Forehand, Garagiola, Madaleno, Middleton, Montgomery, Robey, and Stone**

AN ACT concerning

**Public Information Act – Required Denials – Senior Citizen Activities Centers**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT**

January 26, 2011

Senator Thomas V. Mike Miller  
State Senate President  
State House, H-107  
100 State Circle  
Annapolis, Maryland 21401-1991

Dear President Miller

Following our previous conversations, I am writing this letter to you as formal notification that I have been activated for a Federal Training Mission by the United States, Department of the Air Force.

I have received military orders for Loadmaster Initial Mission Qualifications Training at Robins Air Force Base, Georgia.

These orders are effective as of January 30, 2011 through April 30, 2011. As a courtesy to you, I have enclosed a copy of my orders directed from the United States, Department of the Air Force for your review and record.

Finally, I respectfully request that in my absence, that for all Senate Floor recorded quorum calls amendments, motions, and Third Reader Senator Floor Votes, I am recorded as "**excused, military duty**".

I greatly appreciate your consideration and assistance.

Sincerely,

J. B. Jennings  
State Senator, District 7

Journalized.

### QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 56)

### ADJOURNMENT

At 11:31 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 31, 2011.

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**Annapolis, Maryland**  
**Monday, January 31, 2011**  
**8:00 P.M. Session**

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The Senate met at 8:03 P.M.

Prayer by Reverend Doctor James L. Carter, Ark Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

The Journal of January 28, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 58)

**INTRODUCTION OF BILLS**

**Senate Bill 262 – Senators Klausmeier, Benson, Colburn, DeGrange,  
Forehand, Garagiola, Jones–Rodwell, Kasemeyer, Kelley, Madaleno,  
Montgomery, Muse, Raskin, Shank, and Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 263 – Senators Brinkley and Young**

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 Judicial Proceedings.

**Senate Bill 264 – Senator Kelley**

AN ACT concerning

**Common Ownership Communities – Fidelity Insurance – Indemnification**

FOR the purpose of altering the scope of indemnification provided by fidelity insurance that the board of directors or other governing body of a cooperative

housing corporation, council of unit owners or other governing body of a condominium, or board of directors or other governing body of a homeowners association is required to purchase under certain circumstances; requiring a management company that provides certain services to a cooperative housing corporation, condominium, or homeowners association to purchase certain fidelity insurance under certain circumstances; making stylistic changes; and generally relating to common ownership communities and fidelity insurance.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–6B–18.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–114.1 and 11B–111.6  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 265 – Senator Kelley**

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 Budget and Taxation.

### **Senate Bill 266 – Senators Kelley, Madaleno, and Stone**

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 Judicial Proceedings.

**Senate Bill 267 – Senators Glassman, Colburn, Getty, Middleton, Peters, Pugh, Robey, Stone, and Zirkin**

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 Budget and Taxation.

**Senate Bill 268 – Senator Glassman**

AN ACT concerning

**Business Occupations and Professions – Qualified Industrial Hygienists and Industrial Hygiene Technologists**

FOR the purpose of prohibiting an individual from representing the individual to be a qualified industrial hygienist or an industrial hygiene technologist unless the individual has certain qualifications; requiring an individual who represents the individual to be a qualified industrial hygienist or an industrial hygiene technologist to make certain credentials available for inspection on request from certain individuals; creating a certain evidentiary presumption related to the failure to present certain credentials; requiring the Commissioner of Labor and Industry or the Commissioner's agent to take certain enforcement action under certain circumstances; authorizing the Commissioner to bring a certain action in a certain court under certain circumstances; establishing certain appeal procedures; making a person who violates certain provisions guilty of a misdemeanor subject, on conviction, to a certain penalty; requiring the Commissioner to adopt certain regulations; defining certain terms; and generally relating to the regulation of the practice of industrial hygiene in the State.

BY adding to

Article – Business Occupations and Professions

Section 22–101 through 22–106 to be under the new title “Title 22. Qualified Industrial Hygienists and Industrial Hygiene Technologists”

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 269 – Senators Kittleman and Klausmeier**

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 Finance.

**Senate Bill 270 – Senator Edwards**

AN ACT concerning

**Alcoholic Beverages – Allegany County Board of License Commissioners –  
Vacancies**

FOR the purpose of requiring the Governor to appoint the members of the Allegany County Board of License Commissioners with the advice and consent of the central committees of certain political parties; providing for the application of this Act; and generally relating to the filling of vacancies on the Allegany County Board of License Commissioners.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 15–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15–101(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 271 – Senator Edwards**

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 Finance.

**Senate Bill 272 – Senator Edwards**

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 Budget and Taxation.

**Senate Bill 273 – Senators Manno, Forehand, Frosh, Garagiola, King,  
Madaleno, Montgomery, and Raskin**

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 Budget and Taxation.

**Senate Bill 274 – Senator Zirkin**

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 Judicial Proceedings.

**Senate Bill 275 – Senator Zirkin**

AN ACT concerning

**Juvenile Services – Educational Programs – Implementation Date**

FOR the purpose of altering the date by which the Department of Education shall develop and implement juvenile services educational programs for certain residential facilities of the Department of Juvenile Services; altering a certain date relating to a certain reporting requirement; and generally relating to juvenile services educational programs.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 22–303  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 276 – Senator Zirkin**

AN ACT concerning

**Baltimore 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 Baltimore 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 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 Baltimore 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 Education, Health, and Environmental Affairs.

### **Senate Bill 277 – Senator Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 278 – Senator Colburn**

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 Judicial Proceedings.

**Senate Bill 279 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 280 – Senators Montgomery, Forehand, Garagiola, King, and Manno**

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 Budget and Taxation.

**Senate Bill 281 – Senators Miller, Currie, Muse, Peters, and Ramirez**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Prince George’s 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 Prince George’s County; requiring judges of the Orphans’ Court for Prince George’s 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 Judicial Proceedings.

**Senate Bill 282 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Family Day Care Providers – Amnesty Period – Repeal**

FOR the purpose of repealing obsolete provisions of law relating to an amnesty period for unregistered family day care providers; and generally relating to the family day care providers amnesty program.

BY repealing

Article – Family Law

Section 5–552.1

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 283 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Architects – Retired Status Licenses**

FOR the purpose of authorizing the State Board of Architects to issue a retired status license to a licensed architect under certain circumstances; prohibiting the holder of a retired status license from engaging in the practice of architecture; authorizing the holder of a retired status license to use a certain designation; authorizing the Board to reactivate a license to practice architecture for an individual who holds a retired status license under certain circumstances; and generally relating to the practice of architecture.

BY adding to

Article – Business Occupations and Professions

Section 3–309.2

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 284 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – High School Graduation Records – Collection, Maintenance,  
Analysis, and Reporting**

FOR the purpose of altering the Maryland high school graduation rate formula and ethnic and racial categories in the formula to be consistent with certain federal regulations and guidelines; defining a certain term; repealing a certain annual reporting requirement; and generally relating to the collection, maintenance, analysis, and reporting of Maryland high school graduation records.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–203.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 285 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Real Estate Commission – Reinstatement of Licenses and Inactive  
Status**

FOR the purpose of altering the time periods within which a licensee must reinstate a license that has expired and reactivate a license that has been placed on inactive status; and generally relating to the State Real Estate Commission.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–314 and 17–316  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 286 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Services – State Comprehensive Juvenile Services 3–Year Plan**

FOR the purpose of altering the date by which a revised State Comprehensive Juvenile Services 3–Year Plan is to be submitted to the General Assembly; and generally relating to the State Comprehensive Juvenile Services 3–Year Plan.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–204(f)  
Annotated Code of Maryland  
(2007 Volume and 2010 Supplement)

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

**Senate Bill 287 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Public Accountancy – Educational Requirements for  
Examination and Licensure**

FOR the purpose of altering the educational requirements for an applicant for a license to practice certified public accountancy to take the examination to be a certain number of semester hours or their equivalent and the possession of a baccalaureate or higher degree; maintaining the educational requirements for a license to practice certified public accountancy at a certain number of semester hours or their equivalent and the possession of a baccalaureate or higher degree; and generally relating to the educational requirements for examination and licensure as a certified public accountant.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–303 and 2–305  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 288 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Higher Education – Cultural Diversity Programs – Reporting Requirements**

FOR the purpose of altering the dates by which certain institutions of higher education and the Maryland Higher Education Commission must submit certain reports on the promotion and enhancement of cultural diversity at institutions of higher education; and generally relating to reports on programs to promote and enhance cultural diversity at institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 10–211(c) and 11–406(c) and (d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 289 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Higher Education – Edward T. Conroy Memorial Scholarship Program –  
Eligibility**

FOR the purpose of altering the eligibility requirements for the Edward T. Conroy Memorial Scholarship Program to include certain persons who live outside the State under certain circumstances; repealing a certain obsolete provision; repealing a certain termination provision; and generally relating to eligibility for the Edward T. Conroy Memorial Scholarship Program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–601  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 418 of the Acts of the General Assembly of 2004  
Section 2

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

**Senate Bill 290 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board for Professional Engineers – Examinations**

FOR the purpose of eliminating specific references to the prescribed lengths of time and methods of delivery of the fundamentals of engineering examination and the principles and practice of engineering examination; and generally relating to the practice of professional engineering.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 14–305(b), (c), and (d) and 14–307(d)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 291 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**State Government – Maryland Veterans Commission – Membership**

FOR the purpose of altering the membership of the Maryland Veterans Commission; and generally relating to the Maryland Veterans Commission.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–916  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–917  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 292 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Institutions of Postsecondary Education – Falsified Transcripts, Diplomas,  
and Grade Reports – Penalties**

FOR the purpose of prohibiting a person from falsely altering, causing or procuring to be falsely altered, or willingly aiding or assisting in falsely altering a transcript, diploma, or grade report of an institution of postsecondary education; prohibiting a person from knowingly buying, selling, or distributing a false, forged, counterfeited, or altered transcript, diploma, or grade report of an institution of postsecondary education; establishing certain penalties; and generally relating to falsified transcripts, diplomas, and grade reports of institutions of postsecondary education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 26–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 293 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Examiners of Landscape Architects – Applicants for Licensure  
– Educational and Experience Requirements**

FOR the purpose of clarifying the educational and experience requirements for applicants seeking to take the Landscape Architect Registration Examination (LARE); establishing additional criteria for meeting the educational and experience requirements for the LARE applicants; and generally relating to the practice of landscape architecture.

BY repealing and reenacting, with amendments,



Article – Business Occupations and Professions  
Section 9–303  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 294 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Pilots – Limited Licenses to Provide Pilotage**

FOR the purpose of increasing the vessel draft lengths for the limited pilotage licenses the State Board of Pilots may issue; and generally relating to pilotage licenses issued by the State Board of Pilots.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–402  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 295 – Senator Shank**

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 Judicial Proceedings.

**Senate Bill 296 – Senators Shank, Edwards, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 297 – Senators Shank, Edwards, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 298 – Senator Pipkin**

AN ACT concerning

**Health Insurance – 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; 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.

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 Finance.

**Senate Bill 299 – Senators Jennings, Shank, Forehand, Gladden, Kelley, King, Pugh, Ramirez, Raskin, Stone, Young, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 300 – Senator Forehand**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Montgomery County – Gaithersburg Community Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Mayor and City Council of Gaithersburg 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(AG)

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

**Senate Bill 301 – Senator Jones–Rodwell (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 Judicial Proceedings.

**Senate Bill 302 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

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 Education, Health, and Environmental Affairs.

**Senate Bill 303 – Senator Montgomery**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –  
Damascus Heritage Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to 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 Budget and Taxation.

**Senate Bill 304 – Senators Manno and Garagiola**

AN ACT concerning

**Renewable Energy Surcharge – Retail Residential Electric Customers**

FOR the purpose of establishing a certain renewable energy surcharge on electricity consumption above a certain amount by residential retail electric customers; requiring the Public Service Commission to authorize electric companies to add the full amount of the surcharge to the customers' bills; requiring electric companies to collect the surcharge and provide a certain rebate to certain customers in a certain manner; requiring the Comptroller to collect the revenue from the surcharge and place it in the Maryland Renewable Energy Benefit Fund; establishing the Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; requiring the Maryland Energy Administration to administer the Fund; requiring the Treasurer to hold separately and the Comptroller to account for the Fund; providing the sources of funding for the Fund; stating the purpose of the Fund; providing for the allocation of money from the Fund; requiring the Treasurer to invest the money of the Fund in a certain manner; requiring any investment earnings of the Fund to be paid into the Fund; 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 adding to  
Article – State Government  
Section 9–2009

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

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

### INTRODUCTION OF RESOLUTIONS

#### **Senate Resolution No. 61 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Emily Brown  
Middletown High School, Frederick County  
in recognition of  
being selected to display her Senior Individual Exhibit at the Smithsonian National  
Museum of American History.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

#### **Senate Resolution No. 65 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Noah Pritt  
Frederick County  
in recognition of  
receiving third place at National History Day  
in the category of Junior Paper.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

#### **Senate Resolution No. 64 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Eric Keen  
Montgomery County  
in recognition of  
receiving third place at National History Day  
in the category of Senior Paper.  
The entire membership extends best wishes on



this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

**Senate Resolution No. 66 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Emily Pritt  
Frederick County  
in recognition of  
receiving the Outstanding State Prize at  
National History Day in the category of Senior Paper.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

**Senate Resolution No. 63 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Noah Donahue  
Northern Middle School, Calvert County  
in recognition of  
receiving the Outstanding State Prize at  
National History Day in the category of Junior Paper.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

Read and ordered journalized.

**Senate Resolution No. 69 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ginger Scally  
E. Russell Hicks Middle School, Washington County  
in recognition of  
receiving the 2010 Patricia Behring Middle School  
History Day Teacher of the Year Award.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

**Senate Resolution No. 68 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Susan Hottle–Shultz  
St. Mary’s High School, Anne Arundel County  
in recognition of  
receiving the 2010 Patricia Behring High School  
History Day Teacher of the Year Award.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 59)

**Senate Resolution No. 67 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Catherine Troup  
Bullis School, Montgomery County  
in recognition of  
receiving the History Channel Outstanding Project tied to a Historic Site in the  
category of Senior Web Site.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

**Senate Resolution No. 62 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Christopher Crunkleton  
Northern Middle School, Calvert County  
in recognition of  
being a finalist at National History Day  
in the category of Junior Web Site.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 60)

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 210 – Senators Kelley, Conway, Jones–Rodwell, Middleton, and Pugh**

AN ACT concerning

**Real Estate Settlements – Paying or Receiving Consideration – Penalties**

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

Read and ordered journalized.

**LEGISLATIVE EVALUATION COMMITTEE REPORT**

**SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT ON THE  
MARYLAND HOME IMPROVEMENT COMMISSION, THE STATE REAL ESTATE COMMISSION,  
AND THE STATE BOARD OF MASTER ELECTRICIANS**

(See Exhibit C of Appendix III)

Journalized.

**QUORUM CALL**

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

(See Roll Call No. 61)

**ADJOURNMENT**

At 8:34 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 1, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 1, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:20 A.M.

Prayer by Reverend Howard Kinney, Sr. The Believers Worship Center Church, guest of Senator Currie.

(See Exhibit A of Appendix III)

The Journal of January 31, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 63)

**QUORUM CALL**

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

(See Roll Call No. 64)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #1**

**Senate Bill 44 – Senator Middleton**

AN ACT concerning

~~Insurance~~ **– Qualified State Long-Term Care Insurance Partnership Program  
– Reporting**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 65)

The Bill was then sent to the House of Delegates.

**Senate Bill 57 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Certificate of Need Requirements**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 66)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 67)

The Bill was then sent to the House of Delegates.

**Senate Bill 59 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Company Action Level Events – Health Insurers**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 68)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 69)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 70)

The Bill was then sent to the House of Delegates.

**INTRODUCTION OF RESOLUTION**

**Senate Resolution No. 117 – Senator Lisa A. Gladden:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Mount Washington Pediatric Hospital  
in recognition of  
the celebration of 90 years of providing care to  
children throughout the State of Maryland.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 1st day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 71)

### **QUORUM CALL**

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

(See Roll Call No. 72)

### **ADJOURNMENT**

At 10:37 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 2, 2011.



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**Annapolis, Maryland**  
**Wednesday, February 2, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:06 A.M.

Prayer by Reverend James A. Bishop, Sr., Goshen United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of February 1, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 74)

**INTRODUCTION OF BILLS**

**Senate Bill 305 – Senators Pinsky, Benson, Conway, Currie, Frosh, Gladden,  
Jones–Rodwell, Kelley, Madaleno, Manno, Montgomery, Muse, Peters,  
Ramirez, Raskin, Rosapepe, Stone, and Young**

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 Budget and Taxation.

**Senate Bill 306 – Senator Mathias**

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 Judicial Proceedings.

**Senate Bill 307 – Senators Mathias and Colburn**

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 Budget and Taxation.

**Senate Bill 308 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Klausmeier, Madaleno, Mathias, Miller, Montgomery, Peters, Pinsky, Pugh, Reilly, Rosapepe, and Zirkin**

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 Judicial Proceedings.

### **Senate Bill 309 – Senator Kelley**

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 Finance.

**Senate Bill 310 – Senator Kittleman**

AN ACT concerning

**General Assembly – Housing Allowance – Restriction on Use**

FOR the purpose of prohibiting a member of the General Assembly from using the General Assembly housing allowance to pay for housing that is located more than a certain number of miles from the State House unless the member receives certain authorization; and generally relating to the use of the General Assembly housing allowance 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 Education, Health, and Environmental Affairs.

**Senate Bill 311 – Senators Madaleno, Currie, Ferguson, Forehand, Jones–Rodwell, Kasemeyer, Kelley, King, Manno, Montgomery, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Young**

AN ACT concerning

**Weapon–Free Higher Education Zones**

FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, and deadly weapons at public institutions of higher education; providing for certain exceptions to this prohibition; and generally relating to the carrying or possession of firearms, knives, and deadly weapons at public institutions of higher education.

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

Section 4-102  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 312 – Senators Madaleno, Forehand, Glassman, Kelley, King,  
Montgomery, Pugh, Raskin, and Stone**

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 Finance.

**Senate Bill 313 – Senator Edwards**

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 Budget and Taxation.

**Senate Bill 314 – Senator Edwards**

AN ACT concerning

**Public Utility Companies – Generating Stations – Wind**

FOR the purpose of repealing a provision that exempts a certain person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; repealing a provision requiring the Commission to provide certain notices; and generally relating to electricity from wind generating stations.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–207(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 315 – Senators DeGrange, Brinkley, Currie, Dyson, Glassman, Jacobs, Mathias, McFadden, Peters, and Reilly**

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 Budget and Taxation.

### **Senate Bill 316 – Senator Madaleno**

AN ACT concerning

#### **Property Tax – Charter Counties – Education Funding**

FOR the purpose of authorizing a county council in a charter county, for a certain purpose under certain circumstances, to set a property tax rate that is higher than the rate authorized under the county's charter or to collect more property tax revenues than are authorized under the county's charter, notwithstanding any provision of a county charter that places certain limits on that county's property tax rate or revenues; requiring a county to appropriate to the local board of education certain revenues and prohibiting a county from reducing certain funding to the local board of elections under certain circumstances;

providing for the application of this Act; and generally relating to county property tax rates and revenues and education funding.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 317 – Senators Pinsky and Brinkley**

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 Finance.

**Senate Bill 318 – Senator Peters**

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 Budget and Taxation.

**Senate Bill 319 – Senators Mathias and Colburn**

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 Budget and Taxation.

**Senate Bill 320 – Senators Montgomery, Frosh, Kelley, Madaleno, Manno, Raskin, and Rosapepe**

AN ACT concerning

**Environment – Phosphorus – Commercial Dishwashing Detergent**

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 Education, Health, and Environmental Affairs.

**Senate Bill 321 – Senators Dyson, Currie, Glassman, Jacobs, Kelley, and Stone**

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 Judicial Proceedings.

**MOTION**

Senator Conway moved to suspend the rules to allow **Senate Bills 322** and **323** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**

**Senate Bill 322 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Registered Veterinary Technician**

FOR the purpose of altering the definition of the term “practice of veterinary medicine” to exclude certain procedures performed by a certain veterinary technician under certain circumstances; and generally relating to the regulation of the practice of veterinary medicine.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–301(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing  
Article – Agriculture  
Section 2–301(g)(10)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Agriculture  
Section 2–301(g)(10)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 323 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Washington Suburban Transit Commission – Membership Qualifications, Restrictions, and Reporting Responsibilities**

FOR the purpose of requiring that gubernatorial appointees to the Washington Suburban Transit Commission meet certain qualifications and requirements; providing that certain commissioners of the Washington Suburban Transit Commission are subject to the restrictions and requirements of the Maryland Public Ethics Law; requiring certain members to file certain financial disclosure statements with the State Ethics Commission; providing for the application of certain provisions of this Act; and generally relating to the Washington Suburban Transit Commission.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Montgomery County  
Section 87–1(b)  
Article 16 – Public Local Laws of Maryland  
(2004 Edition and December 2010 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Montgomery County  
Section 87–5(a) and 87–10  
Article 16 – Public Local Laws of Maryland  
(2004 Edition and December 2010 Supplement, as amended)

BY repealing and reenacting, without amendments,  
The Public Local Laws of Prince George’s County  
Part III, Section 1(b)  
Article 17 – Public Local Laws of Maryland  
(2003 Edition and 2005 Supplement, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Prince George’s County  
Part III, Section 5(a) and 10  
Article 17 – Public Local Laws of Maryland  
(2003 Edition and 2005 Supplement, as amended)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–820  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

## INTRODUCTION OF BILLS

### Senate Bill 324 – Senators Manno and Pugh

AN ACT concerning

#### **Motor Vehicle Administration – Fee–Setting Authority – Miscellaneous Fees and Vehicle Emissions Inspection Fees**

FOR the purpose of repealing the requirement that the Motor Vehicle Administration, before the start of a fiscal year, alter the levels of certain miscellaneous fees for the upcoming fiscal year if a certain projected cost recovery exceeds a certain amount; increasing the maximum fee that the Administration may set for

vehicle emissions inspection and testing under the Vehicle Emissions Inspection Program; establishing a certain maximum fee that the Administration may set for the emissions inspection and testing of a vehicle owned by a senior citizen, an active duty member of the armed forces, or a veteran; providing for the allocation of certain fee revenues; repealing obsolete language; defining certain terms; and generally relating to fees set by the Motor Vehicle Administration.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 12–120 and 23–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 23–201(a) and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation  
Section 23–201(j) and (k)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 325 – Senators Forehand, Frosh, King, Montgomery, and Raskin**

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 Budget and Taxation.

**Senate Bill 326 – Senators Forehand, Garagiola, and Manno**

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 Budget and Taxation.

**Senate Bill 327 – Senators Forehand, Benson, Colburn, Ferguson, Garagiola, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Raskin, Simonaire, Stone, and Young**

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 Judicial Proceedings.

**Senate Bill 328 – Senator Kasemeyer**

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 Budget and Taxation.

**Senate Bill 329 – Senator Brinkley**

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 Education, Health, and Environmental Affairs.

**Senate Bill 330 – Senators Brinkley and Young**

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 Budget and Taxation.

**Senate Bill 331 – Senators Brinkley and Young**

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 Judicial Proceedings.

**Senate Bill 332 – Senators Garagiola, Astle, Kittleman, and Middleton**

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 Finance.

### **Senate Bill 333 – Senator Garagiola**

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 Judicial Proceedings.

### **Senate Bill 334 – Senators Kelley and Frosh**

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 Judicial Proceedings.

**Senate Bill 335 – Senators Kelley and Forehand**

AN ACT concerning

**Family Law – Permanency Planning and Guardianship Review Hearings**

FOR the purpose of establishing certain methods by which the juvenile court, in certain permanency planning and guardianship review hearings, may satisfy the requirement that the court consult on the record with the child; and generally relating to permanency planning and guardianship review hearings.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–823(b), (c), and (h)(1)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–823(k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–326(a)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–326(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 336 – Senator Stone**

AN ACT concerning

#### **Transition of Developmentally Disabled Youth from Foster Care – Required Workgroup and Report**

FOR the purpose of requiring the Developmental Disabilities Administration and the Social Services Administration to convene a certain workgroup; requiring the workgroup to include certain persons and examine certain methods; requiring the Developmental Disabilities Administration and the Social Services Administration to report the findings of the workgroup to the General Assembly on or before a certain date; and generally relating to the transition of developmentally disabled youth from foster care.

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

### **Senate Bill 337 – Senator Stone**

AN ACT concerning

#### **Criminal Law – Reckless Endangerment – Use of a Motor Vehicle**

FOR the purpose of creating certain exceptions to an exclusion of conduct involving the use of a motor vehicle from the crime of reckless endangerment; and generally relating to reckless endangerment.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–204  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 338 – Senators Glassman and Miller**

AN ACT concerning

**Motor Vehicles – Three–Axle Dump Service Vehicles – Maximum Weight**

FOR the purpose of extending for a certain period of time the period during which a certain increased maximum gross vehicle weight is allowed for certain three–axle dump service vehicles; and generally relating to weight restrictions for three–axle dump service vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–919(a) through (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–919(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 339 – Senators Manno and Frosh**

AN ACT concerning

**Campaign Finance – Affiliated Business Entities – Attribution of Contributions**

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–226(e)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 340 – Senator Middleton**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Charles County – Lions Camp Merrick**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to change the name of a certain grantee to the Board of Directors of Waldorf Lions Foundation; extending the deadline for a certain 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 making this Act an emergency measure.

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

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

**Senate Bill 341 – Senators Frosh, Raskin, Currie, Forehand, King, Madaleno, Manno, Montgomery, Peters, Pinsky, and Ramirez**

AN ACT concerning

**Gas Companies and Electric Companies – Service Quality and Reliability Standards**

FOR the purpose of requiring the Public Service Commission to establish certain service quality and reliability standards for gas companies and electric companies; providing for the application of regulations adopted under this Act; requiring the standards to include certain benchmarks; requiring the Commission to use certain national standards to the extent feasible; authorizing the Commission to require gas companies and electric companies to supply certain data for certain purposes; requiring gas companies and electric companies to file a certain annual report with the Commission containing certain information; authorizing the Commission to impose a certain penalty



against a gas company or an electric company that fails to meet certain standards; prohibiting a certain penalty from being passed on to ratepayers; authorizing the Commission to adopt certain regulations; defining a certain term; and generally relating to service quality and reliability standards for gas companies and electric companies.

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 Finance.

**Senate Bill 342 – Senators Ramirez and Forehand**

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 Judicial Proceedings.

**Senate Bill 343 – Senators Middleton, Kasemeyer, and Kelley**

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 Finance.

**Senate Bill 344 – Senators Middleton, Kasemeyer, and Kelley**

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 Education, Health, and Environmental Affairs.

**Senate Bill 345 – Senators Forehand and King**

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 Budget and Taxation.

**Senate Bill 346 – Senator Zirkin**

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 Budget and Taxation.

**Senate Bill 347 – Senators Pugh, Benson, Conway, Jones–Rodwell, Madaleno, Montgomery, Ramirez, and Rosapepe**

AN ACT concerning

**Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions**

FOR the purpose of creating the Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions in the State; providing for the membership, duties, compensation, and staffing of the Task Force; requiring the Task Force to make certain findings and recommendations by a certain date; requiring the Task Force to report to the Governor and certain committees by a certain date; providing for the termination of this Act; and generally

relating to the Task Force to Study the Impact of Adjunct Faculty on Graduation Rates at Historically Black Institutions in the State.

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

**Senate Bill 348 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 349 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 350 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 351 – Senators Pugh, Benson, Conway, Currie, Forehand,  
Gladden, Jones–Rodwell, Kelley, Montgomery, and Ramirez**

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 Education, Health, and  
Environmental Affairs.

**Senate Bill 352 – Senators Pugh and Ferguson**

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 Finance.

**Senate Bill 353 – Senator Pugh**

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 Finance.

**Senate Bill 354 – Senator Simonaire**

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 and age 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 Budget and Taxation.

### **Senate Bill 355 – Senator Simonaire**

AN ACT concerning

#### **Anne Arundel County – Property Tax Payment Deferral – Amounts**

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 amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; 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 Budget and Taxation.

**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–Ricchio 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 Waldstreicher, Valderrama, and Costa.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

**MESSAGE TO THE HOUSE OF DELEGATES**

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 adopted.

### **QUORUM CALL**

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

(See Roll Call No. 75)

### **ADJOURNMENT**

At 10:29 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:30 A.M. on Thursday, February 3, 2011, in memory of Mr. and Mrs. D'Adamo the parents of City Councilman Nick D'Adamo.

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**Annapolis, Maryland**  
**Thursday, February 3, 2011**  
**11:30 A.M. Session**

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The Senate met at 11:38 A.M.

Prayer by Reverend Doctor Alvin C. Hathaway, Sr., Union Baptist Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of February 2, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 77)

Remarks were presented by Congressman Steny Hoyer.

**INTRODUCTION OF BILLS**

**Senate Bill 356 – Senator Jones–Rodwell (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 Budget and Taxation.

**Senate Bill 357 – Senator Jones–Rodwell (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 Budget and Taxation.

**Senate Bill 358 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Audit Responsibilities – Local Education Agencies, Community Colleges, and Public Libraries – Employer Pension Contributions**

FOR the purpose of 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; altering a provision relating to the employees included for purposes of certain audits as eligible for State payment of retirement contributions; 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 that certain reimbursements determined from performing certain audits of local school systems, public junior or community colleges, and public libraries be credited entirely to the General Fund; and generally relating to performing audits of local school systems, public junior or community colleges, and public libraries for purposes of determining if employer contributions have been paid appropriately to the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–203, 16–306, and 23–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 359 – Senator Jones–Rodwell (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 Budget and Taxation.

**Senate Bill 360 – Senator Jones–Rodwell (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 Budget and Taxation.

**Senate Bill 361 – Senators Raskin and Ramirez**

AN ACT concerning

**Vehicle Laws – Provisional Driver’s Licenses – Driver Education Requirements**

FOR the purpose of reducing the period of time that certain individuals at least a certain age who hold a learner’s instructional permit are required to wait before taking certain examinations for a provisional driver’s license; establishing that certain driving practice requirements and a requirement to complete a certain driver skills log book before taking certain examinations for a provisional driver’s license do not apply to an individual at least a certain age; authorizing individuals at least a certain age to complete certain driver education requirements through a certain Internet program; requiring the Motor Vehicle Administration to adopt regulations establishing curriculum, equipment, and standards for a certain Internet driver education program; and generally relating to driver education requirements for obtaining a provisional driver’s license.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–105(d), 16–111(b), and 16–505  
Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 362 – Senators Raskin and Ramirez**

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 Judicial Proceedings.

**Senate Bill 363 – Senator Raskin**

AN ACT concerning

**Civil Actions – Cases Challenging Constitutionality of Statutes**

FOR the purpose of providing that, in any civil action commenced in the District Court or a circuit court to which the State or a county or municipality is not a party, if a party to the action alleges in a pleading, motion, or other paper that a State statute or a county or municipal law, ordinance, or resolution is unconstitutional with respect to the United States Constitution or the Maryland Constitution, the party shall immediately serve the Attorney General, in the case of a State statute, and both the Attorney General and the chief legal officer of the county or municipality, in the case of a county or municipal law, ordinance, or resolution, with a copy of the pleading, motion, or other paper; providing that the Attorney General and the chief legal officer are entitled to be heard in court or to submit in writing their views on the question of the constitutionality of the statute or local law, ordinance, or resolution, or to seek intervention in the action in accordance with the Maryland Rules; repealing certain inconsistent provisions of the Maryland Uniform Declaratory Judgments

Act; and generally relating to civil actions challenging the constitutionality of certain State statutes or local laws, ordinances, or resolutions.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–405  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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 Judicial Proceedings.

### **Senate Bill 364 – Senator Raskin**

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 Judicial Proceedings.

**Senate Bill 365 – Senators Peters, Astle, Brinkley, Brochin, Colburn, DeGrange, Frosh, Garagiola, Glassman, Kasemeyer, Klausmeier, Mathias, Middleton, Montgomery, Muse, Pugh, Ramirez, Raskin, Robey, and Zirkin**

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 Budget and Taxation.

**Senate Bill 366 – Senator Edwards**

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 Education, Health, and Environmental Affairs.

**Senate Bill 367 – Chair, Anne Arundel County Senators**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 368 – Senator Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 369 – Senator Conway**

AN ACT concerning

**Education – School Buses – Fire Safety Standards**

FOR the purpose of requiring a school bus to meet certain fire safety criteria; requiring the State Department of Education to adopt certain fire safety regulations for school buses that include certain requirements; requiring certain engine components of certain school buses to meet a certain standard; defining certain terms; providing for the application of this Act; and generally relating to school bus fire safety standards.

BY adding to

Article – Education

Section 7–808

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–153 and 11–154

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 370 – Senator Conway**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 371 – Senator Conway**

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 Education, Health, and Environmental Affairs.

**Senate Bill 372 – Senator Conway**

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 Education, Health, and Environmental Affairs.

**Senate Bill 373 – Senators Kasemeyer and DeGrange**

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 Budget and Taxation.

**Senate Bill 374 – Senator Gladden**

AN ACT concerning

**Baltimore City – Circuit Court – Grand Jury Investigation**

FOR the purpose of altering the law relating to grand jury investigations in Baltimore City by requiring a grand jury to carry out an investigation if directed to by a judge of the circuit court instead of as directed by a judge of the circuit court; providing for the application of this Act; and generally relating to a grand jury investigation in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 8–417  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 375 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 376 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 377 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – American Visionary Art 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 Budget and Taxation.

**Senate Bill 378 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 379 – Senator Ferguson**

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 Budget and Taxation.

**MOTION**

Senator Pinsky moved to suspend the rules to allow **Senate Bill 380** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**

**Senate Bill 380 – Senator Pinsky and the President (By Request – Administration) and Senators Benson, Ferguson, Frosh, Garagiola, Madaleno, Manno, Montgomery, Ramirez, Raskin, and Rosapepe**

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 Finance.

## INTRODUCTION OF BILLS

### Senate Bill 381 – Senator Pinsky

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 Finance.

### Senate Bill 382 – Senator Conway

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 Education, Health, and Environmental Affairs.

### **Senate Bill 383 – Senator Mathias**

#### 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 Judicial Proceedings.

### **Senate Bill 384 – Senator Mathias**

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 Finance.

**Senate Bill 385 – Senators Young and Brinkley**

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 Budget and Taxation.

**Senate Bill 386 – Senators Young and Brinkley**

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 Budget and Taxation.

**Senate Bill 387 – Senators Frosh, Brochin, Conway, Garagiola, Jones–Rodwell, King, Madaleno, Manno, McFadden, Peters, Pinsky, Raskin, Robey, Rosapepe, and Young**

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 Budget and Taxation.

**Senate Bill 388 – Senators Pinsky, Benson, Forehand, Gladden, Jones–Rodwell, Madaleno, Manno, McFadden, Montgomery, Raskin, and Rosapepe**

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 Finance.

**Senate Bill 389 – Senators Shank, Raskin, Brinkley, Colburn, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Pipkin, Reilly, Simonaire, and Young**

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 Budget and Taxation.

**Senate Bill 390 – Senators Shank, Colburn, Edwards, Getty, Glassman, Jacobs, Pipkin, Reilly, Simonaire, Stone, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 391 – Senators Shank, Edwards, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 392 – Senators Shank, Edwards, and Young**

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 Budget and Taxation.

**Senate Bill 393 – Calvert County Senators**

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; 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 Finance.

### INTRODUCTION OF JOINT RESOLUTION

**Senate Joint Resolution 3 – Senators Gladden, Conway, Forehand, Frosh, Jones–Rodwell, Madaleno, McFadden, Muse, and Pugh**

A Senate 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 Education, Health, and Environmental Affairs.

### MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

### SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1

February 3, 2011

## Report #1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

**District Court, Baltimore City (District 1)**

1. Shannon E. Avery District 40

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from July 30, 2010

**District Court, Baltimore County (District 8)**

2. Marsha L. Russell District 7

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 5, 2010

3. Leo Ryan, Jr. District 42

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 6, 2010

4. Steven D. Wyman District 42

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 6, 2010

**District Court, Howard County (District 10)**

5. Ricardo D. Zwaig, Esq. District 9

Judge of the District Court of Maryland, District 10, Howard County; appointed to serve a term of ten years from August 13, 2010

**District Court, Montgomery County (District 6)**

6. Audrey A. Creighton, Esq. District 15

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 13, 2010

**District Court, St. Mary's County (District 4)**

7. Karen Christy Holt Chesser District 29

Judge of the District Court of Maryland, District 4, St. Mary's County; appointed to serve a term of ten years from June 7, 2010

**Special Appeals, Court of**

8. Michele D. Hotten District 23

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from August 17, 2010

9. Shirley M. Watts District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 27, 2011

**Financial Regulation**

10. Mark Kaufman District 43  
4405 Bedford Place  
Baltimore, MD 21218

Commissioner of Financial Regulation; appointed to serve at the pleasure of the Secretary of DLLR

**Health and Mental Hygiene, Department of**

11. Joshua Sharfstein, M.D. District 41  
5820 Pimlico Road  
Baltimore, MD 21209

Secretary of Department of Health and Mental Hygiene; appointed to serve at the pleasure of the Governor

**Prosecutor, State**

12. Emmet C. Davitt, Esq. District 12  
122 South Rolling Road  
Catonsville, MD 21228

State Prosecutor; appointed to serve remainder of a term of six years from September 1, 2010

**African American History and Culture, Commission on**

13. Najah K. Duvall–Gabriel District 22  
6006 43rd Avenue  
Hyattsville, MD 20781

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2010

**Airport Zoning Appeals Board**

14. Manuel R. Geraldo, Esq. District 26  
802 Swan Creek Road  
Fort Washington, MD 20744

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2008

**Architects, State Board of**

15. William N. Parham, Jr. District 33  
594 Pinedale Drive  
Annapolis, MD 21401–6866

Member of the State Board of Architects; appointed to serve remainder of a term of five years from July 1, 2009

**Architectural Review, State Board of**

16. William T. Baker, Jr. District 35  
1311 Vanderbilt Road  
Bel Air, MD 21014

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2010

17. Edward C. Kohls District 5  
13011 Dover Road  
Reisterstown, MD 21136

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

18. James E. Louviere District 18  
9911 Markham Street  
Silver Spring, MD 20901-2234

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

19. Steven G. Ziger District 40  
4419 Wickford Road  
Baltimore, MD 21210

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

#### **Arts Council, Maryland State**

20. Eric A. Conway District 7  
2 Timberpark Court  
Lutherville, MD 21093

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2009

#### **Assistive Technology Guaranteed Loan Program Board of Directors**

21. Regina V. Lee-Byrd District 22  
7825 Mandan Road, #104  
Greenbelt, MD 20770

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Boiler Rules, Board of**

22. Eric Harvey District 37  
9851 Bantry Road  
Easton, MD 21601

Member of the Board of Boiler Rules; appointed to serve remainder of a term of four years from January 1, 2010

23. Brian M. Wodka District 5  
808 Walker Station Court  
Parkton, MD 21120

Member of the Board of Boiler Rules; appointed to serve remainder of a term of four years from January 1, 2010

**Lottery Agency, State**

24. Stephen L. Martino, Esq. District 9  
4014 Victoria Falls Drive  
Ellicott City, MD 21043

Director of the State Lottery Agency; appointed to serve at the pleasure of the Governor

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Architectural Review, State Board of**

- S-1. Susan Hains, AIA District 16  
6921 Winterberry Lane  
Bethesda, MD 20817

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

- S-2. Carol D. Macht District 42  
1409 Walnut Hill Lane  
Baltimore, MD 21204

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

S-3. Edward A. Masek, Jr.  
124 St. Andrews Road  
Severna Park, MD 21146

District 33

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 4, 2011.

The motion was adopted.

### ANNOUNCEMENT BY THE PRESIDENT

January 28, 2011

Mr. Karl Aro  
Executive Director  
Department of Legislative Services  
90 State Circle  
Annapolis, Maryland 21401

**RE: Joint Committee on Administrative, Executive and  
Legislative Review, Joint Committee on  
Spending Affordability Committee, Legislative  
Policy Committee**

Dear Mr. Aro:

As the newly elected Senate Minority Leader, I am writing to let you know that The Honorable Nancy Jacobs will be appointed to the Joint Committee on Administrative, Executive and Legislative Review, Joint Committee on Spending Affordability and Legislative Policy Committee. In each instance, Senator Jacobs will be replacing Senator Allan Kittleman, who served with distinction.

Senator Jacobs is aware of these appointments and looks forward to working with the members of the committees. I am confident that she will serve well in this capacity.

Sincerely,

Thomas V. Mike Miller, Jr.

TVMM/dmh

cc: The Honorable Michael E. Busch

The Honorable Nancy Jacobs  
The Honorable Allan Kittleman  
Ms. Lynne Porter  
Appointments Distribution

Journalized.

### **QUORUM CALL**

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

(See Roll Call No. 78)

### **RECESS**

At 11:57 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 12:00 P.M. on Thursday, February 3, 2011, to the House Chamber for the State of the State Address.



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**AFTER RECESS**  
**Annapolis, Maryland**  
**Thursday, February 3, 2011**

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At 12:04 P.M. the Senate resumed its session.

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

**JOINT SESSION**

**STATE OF THE STATE ADDRESS**  
**GOVERNOR MARTIN O'MALLEY**

The State House  
Annapolis, Maryland  
February 3, 2011

Mr. Speaker, Mr. President, Lieutenant Governor Brown; Treasurer Kopp, Comptroller Franchot; Attorney General Gansler; Attorney General Curran; Governor Hughes; Minority Whip Hoyer; Congressman Van Hollen; Congresswoman Edwards; Congressman Bartlett; colleagues in city and county government; men and women of the Maryland General Assembly; Members of the Cabinet; Katie O'Malley; my fellow Marylanders:

Today, we gather in a promising, yet uncertain moment in our history. In times such as these, Marylanders don't make excuses, we make progress. We expect the same of our government.

Since the earliest days of our State, we have come together knowing that there are some challenges so large that we can only tackle them together. And together, with a government that works, we are moving forward. Forward with the best job creation since the recession began.<sup>1</sup> Forward with America's best public schools<sup>2</sup> and more affordable college. Forward with fewer homes lost to foreclosure<sup>3</sup> and fewer lives lost to violence.<sup>4</sup> Forward with a healthier Bay<sup>5</sup> and rebounding blue crab population. Forward with an economy that's getting better and more Marylanders employed this year than last.<sup>6</sup>

The State of our State is stronger today than two years ago, stronger than it was even a year ago, but better isn't good enough. Not with so many moms and dads out of work, so many businesses just holding on. Not with neighbors lost to violence. Not with the children of so many more countries now out-performing our kids in the classroom. There is more we can do, and for the sake of our children's future, there is more we must do.

We live in a very different world than the one we inherited from our parents and our grandparents. Times are changing, and states must adapt to win.

As President Obama said last week, *“We know what it takes to compete for the jobs and industries of our time. We need to out-innovate, out-educate, and out-build the rest of the world.”*

To make this new economy ours, we must make the right choices and investments to create jobs by spurring innovation: innovation in the classroom;<sup>7</sup> innovation in public safety;<sup>8</sup> innovation in science, discovery, healing, manufacturing, green energy and trade; innovation in public health,... innovation in our own experiment in self-governance.

### **TOUGH CHOICES TO MOVE MARYLAND FORWARD**

Progress is only possible with fiscal responsibility<sup>9</sup> and a willingness to *“think anew and act anew.”*<sup>10</sup> We must get more out of every dollar.

We face the reality of a \$1.4 billion gap between expenditures and our recession-battered revenues. With 87 cents of every general fund dollar we now spend allocated to public education, public health and public safety, there are no easy answers. The best option for our most important priorities is to defend them by level-funding them.

By making tough choices and by cutting \$5.6 billion in spending, you and I have been able to protect – and in some cases increase – investments in our future.<sup>11</sup> Now we must cut nearly \$1 billion more. In past years we’ve been supported by dollars from President Obama’s Recovery & Reinvestment Act. This year, without these funds, already tough choices will be even tougher.

Together, we’ve reduced the size of State government – already the 8th smallest government among the 50 states.<sup>12</sup> Now, we must further streamline and consolidate: combining related law enforcement forces and functions,... merging the Higher Education Commission and Department of Education,... streamlining water functions within the Department of Natural Resources.

We must also fix and save our State’s pension system, which has fallen out of balance – thereby threatening the long-term stability of our State finances.<sup>13</sup> Prospectively speaking, annual contributions from both the State and employees will have to be moderately increased while expectations of some benefits will have to be moderately lowered.

None of these choices will be popular. All will be tough. But this is what is required right now in order to move forward to better days.

### **SPURRING INNOVATION THROUGH EDUCATION**

Balancing budgets, cutting spending, and reducing the size of government are important means to a much larger end. If we are to make this new economy ours – if we're going to win the future – then we must also have the courage and foresight to make strategic investments to improve our children's education,<sup>14</sup> to strengthen our workforce and infrastructure,<sup>15</sup> and to create jobs through innovation.

Innovation is key,... and the foundation of innovation is education. It's one of the most important investments we make together. That's why, for the past four years, every year, we've increased education funding. Last year, together as a State – and with the courageous help of our President and Congressional delegation – we chose to make the largest investment we've ever made in public education.<sup>16</sup> And when this economy recovers, we'll do even more for public education. In the meantime – in these lean times – we will make that same all-time high level of investment. Most school systems for the first time during this crisis will now have to make the same tough choices the rest of government and business have had to make. And I know it will not be easy.

To make this new economy ours, we must continue to make college more affordable for more families. Because of your tough choices, we are making some solid progress. Alone among the fifty states we chose to freeze in-state tuition four years in a row.<sup>17</sup> Today, Kiplinger's says the University of Maryland is a top 5 national value.<sup>18</sup> ParentsAndColleges.com ranks Bowie State University #1.

Access to college is important, but completing college is essential in this knowledge-based economy. That's the goal of Complete College Maryland,<sup>19</sup> which I hope you will support in this year's budget.<sup>20</sup> It's a step – but only a step. To move forward, we must rethink the way we fund higher education so there is a greater incentive for completing college on time.<sup>21</sup>

## **CREATING JOBS THROUGH MARYLAND'S INNOVATION ECONOMY**

Innovation. Education. College completion. At the end of the day, it's all about job creation and job retention. No family can make real progress without a job. In our State, where there is no such thing as a spare Marylander, the most important job we create is the next one.

We are joined today by a determined woman named Cynthia from Prince George's County. After 13 months of unemployment she landed a new job which pays more than the one she lost. And she did it with the help of our One Stop Centers.<sup>22</sup> This is what it's all about.

To create more jobs, we must leverage the power of our diversity,... we must leverage the power of our geography,... And we must harness the potential of Maryland's Innovation Economy: bio-tech, green-tech, clean-tech, cyber security,<sup>23</sup> information technology, aerospace, global trade, and next generation manufacturing.

No state is better positioned than we are to transform global challenges into the jobs and opportunities of the new economy here in Maryland. The Chamber of Commerce,<sup>24</sup> the Milken Institute<sup>25</sup> and the Kauffman Index<sup>26</sup> all rank us in the top two or three best states for innovation, science, and our ability to win in this new economy. We have America's #1 ranked schools, one of the most highly skilled workforces,<sup>27</sup> and leading institutions of discovery and higher learning. We sit at the national epicenter of science, security, health and healing. And key sectors of Maryland's Innovation Economy are creating jobs faster than the rest of the nation.<sup>28</sup>

Our legacy is one of entrepreneurial Marylanders whose creativity and imagination have literally changed the world from the telegraph, railroads and conveyer belts,...to cures and vaccines,... from Old Bay to the Hubble Telescope.

Today, Marylanders are working to revolutionize the way we "feed,<sup>29</sup> fuel,<sup>30</sup> and heal"<sup>31</sup> our planet. At companies like Life Technologies<sup>32</sup> and Gliknik<sup>33</sup> our fellow citizens are working at the cutting edge of life sciences. At Smiths Detection<sup>34</sup> in Edgewood, Marylanders are defending our security from chemical and biological attacks. And at Sourcefire,<sup>35</sup> our neighbors are innovating in adaptive cyber security.

Last year, I asked for your help to create a new Hiring Tax Credit and Small Business Loan Guaranty Fund.<sup>36</sup> You delivered and today more Marylanders have jobs as a result.

This year, we can take action to help grow the next MedImmune<sup>37</sup> or Human Genome Sciences.<sup>38</sup> Through *InvestMaryland*, you and I have the opportunity to unlock \$100 million in venture capital.<sup>39</sup> Why does this matter? Because seed and early stage money have all but dried up in the national recession. Passing this legislation can be the difference between running ahead or running in place. Creating thousands of jobs in Maryland or seeing them go to other states. Creating the next world-changing company in Maryland; or watching it happen in Massachusetts.

The lack of capital is one barrier to job creation. Bureaucratic red tape is another. This year we launched *Maryland Made Easy* to simplify and streamline the business licensing and permitting process in our State. There are things we can do to get government out of the way without compromising our environment.<sup>40</sup>

Together, we're bringing 5,700 jobs to the Port of Baltimore through an innovative public-private partnership.<sup>41</sup> And we're creating 800 jobs in Maryland by convincing GM to build their next-generation green, electric motor in Baltimore County.<sup>42</sup> This year, we have the opportunity to do more to advance solar energy,<sup>43</sup> more to advance plug-in electric cars,<sup>44</sup> and more to harness off-shore wind.<sup>45</sup>

We set one of the most ambitious goals for renewable energy in America,<sup>46</sup> but so far we're not on pace to meet it. This isn't going to happen simply because we set this big goal or because it's a good idea. I need your support for the *Maryland Offshore Wind Energy Act*, not only to create more renewable energy in Maryland, not only to reduce greenhouse gas emissions from Maryland, but to jumpstart the creation of thousands

of green manufacturing, assembly and servicing jobs on the shores and waters of Maryland.<sup>47</sup>

There are some challenges so large we can only accomplish them together. Harnessing off-shore wind is one of them. Holding utilities accountable for reliable electric service is another. *How long do you want to wait in the cold and dark for a deregulated market to solve these problems?* Moms and dads deserve better than to sit for days in freezing homes because the power hasn't been restored. Family-owned businesses should not be forced to lose productivity and income because big utilities have failed them. Today, we introduce legislation that will set reliability standards for electric customers – and I ask that you join me by making it law.<sup>48</sup>

### **BUILDING THE INFRASTRUCTURE OF A STRONGER FUTURE**

It all comes back to jobs. Building a more reliable power grid creates jobs. Rebuilding roads and renovating schools creates jobs. Building and restoring bridges creates jobs. Rebuilding water infrastructure and revitalizing community colleges creates jobs. Building science labs creates jobs. The Recovery & Reinvestment Act – signed courageously by President Obama and implemented openly and transparently without the waste, fraud and abuse that the naysayers predicted – has helped us create and save more than 15,000 jobs in the most recent quarter.<sup>49</sup> And through our Capital Budget we can help create and retain 15,000 more. This includes jobs building and refurbishing schools, with the \$250 million investment we're once again proposing for school construction.<sup>50</sup>

Together, in so many ways, we are also building a 21st Century cyber-infrastructure. Our Health Information Exchange<sup>51</sup> and first-responder interoperable communications network,<sup>52</sup> will protect public health and public safety. The statewide rural broadband network we're building will effectively connect every county in Maryland to the information superhighway – thanks to President Obama and our congressional delegation.<sup>53</sup>

Through the Sustainable Communities Tax Credit, we're helping create 700 jobs. By moving forward with the Red Line and the Purple Line,<sup>54</sup> we're striking a more sustainable balance between roads and transit. To connect the infrastructure of a stronger future, we are working together to grow smarter: protecting more open space,<sup>55</sup> and advancing strategies like Transit Oriented Development.<sup>56</sup>

We must realize that where we choose to sleep, eat, and live affects our environment and our Bay. Together, we've made great progress in recent years,... reducing farm run-off, reducing pollution from sewage treatment plants, and – most recently – reducing pollution from storm-water run-off. But there is one area of reducing pollution where so far we have totally failed, and in fact it has gotten much worse,... and that is pollution from the proliferation of new septic systems – systems which by their very design are intend to leak sewage into our Bay and water tables.

You and I can turn around this damaging trend by banning the further installation of septic systems in major Maryland housing developments. This is common sense, this is urgently needed, this is timely, and for the health of the Bay we need to do what several rural counties have already had the good sense to do.<sup>57</sup>

## PROTECTING OUR QUALITY OF LIFE

To make this new economy ours – and to protect our quality of life – we have not only set big goals; together, we’ve made tough choices to deliver results.

- With tough choices, together we’ve done more than ever before to empower women– and minority–owned businesses.<sup>58</sup> And because of legislation you passed last session, we’re going to do more to empower businesses owned by veterans.<sup>59</sup>
- With tough choices, we’ve expanded health care to 248,000 Marylanders, 118,000 of them children.<sup>60</sup> And last year, our patients experienced more than 6,000 fewer preventable complications in our hospitals.<sup>61</sup> To move forward, we’re creating new incentives for doctors and hospitals to enhance the quality of care.
- With tough choices, we’ve driven home foreclosures down 76%. They are now 65% lower than the national rate.
- With tough choices, we won the fight to keep the Preakness in Pimlico where it belongs. And, by working with the racing community, we prevented a collapse of the industry and the abrupt loss of thousands of horse–related jobs.<sup>62</sup> And now we must work together toward a long–term, sustainable solution.
- With tough choices, we’re turning around the health of the Chesapeake Bay.<sup>63</sup> Last year, because of difficult decisions we made together with Virginia, the Blue Crab population rebounded to the highest level since 1997. And if we want to save our native oyster and see it come back, we must hold true to our plan for oyster aquaculture.

With tough choices we are also taking our streets and neighborhoods back from violent crime. But better is not good enough. Since 2007, we have reduced murders in our State by 23%.<sup>64</sup> The spate of homicides early this year reminds us of the urgency of work yet done. Better isn’t good enough. Thirty–one kids were the victims of homicides in 2010. According to the State Police, this is the lowest number of juvenile victims on record.<sup>65</sup> But how do we explain to the families and friends of those 31 kids that we consider this a statewide accomplishment?

Two years ago, you took guns away from domestic abusers.<sup>66</sup> This year, I need your help to further toughen the enforcement of our gun laws.<sup>67</sup>

And while nobody believes we should criminalize poverty, there are things we can do – must do – to bring Maryland in line with what every other state does and expects when it comes to preventing the willful neglect of a child.<sup>68</sup>

## CONCLUSION

Over the course of these past four years, virtually every Maryland family has been impacted in some way by the tremendous challenges we've faced together as a people. Today, as we look forward to the next four years and beyond, every Marylander has a role to play in our recovery,... whether it's enrolling in night school, hiring a Marylander off unemployment rolls, joining in the search for solutions by participating in our Maryland Forward forums, encouraging a neighbor to call our HOPE hotline for help in saving their home,... or if you work in a bank, doing that extra little bit to qualify a small business for a loan.<sup>69</sup>

As President Clinton once so rightly said, *“There is nothing wrong with America that cannot be cured by what is right with America.”* Just look around our State. Look at the elementary and middle school students in classrooms all over Baltimore City who are achieving at record levels.<sup>70</sup> I've seen firsthand the progress being made at Oxon Hill High School in Prince George's County.<sup>71</sup> Think of the lives being saved by discoveries in Montgomery County's I-270 corridor, in Frederick, and at bio-parks in Baltimore<sup>72</sup>,... or the advances in security being developed at Aberdeen and Fort Meade.<sup>73</sup> The potential of Western Maryland tourism industry. Or the possibilities rolling off the assembly line in Baltimore County. Consider the determination of the farmers on the Eastern Shore and Southern Maryland planting cover crops that are saving our Bay.<sup>74</sup>

Notwithstanding the limitations of this year's budget, all that we need to build a better future is right here. Moving forward is not just about today's budget math, it's about tomorrow's better Maryland. There are costs and there are values. Some values are so very, very important that they are even worth dying for. Everything has a cost. We cannot kid ourselves into thinking that by failing to invest in our future, we're somehow saving resources. Everything has a cost. Inaction has a cost. Consumption has a cost. Failing to make decisions that are consistent with the best interests of the next generation, ... this too has a cost.

But I believe in the better future that our children deserve. And I believe in the goodness of a Maryland that is willing to make it so.

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<sup>1</sup> In 2010, Maryland created 26,000 jobs, the State's best year of job creation since 2006. Last year, Maryland created more jobs than 36 other states in the nation.

<sup>2</sup> Last month, Education Week magazine, the leading education publication, named Maryland's public school system – “Best in the Nation” for the third consecutive year, highlighting Maryland's leadership in the areas of alignment and education funding.

<sup>3</sup> Foreclosures in December 2010 were down 75.8% from December 2009.

<sup>4</sup> Violent crime in 2009 was at its lowest rate since tracking began in 1975; according to FBI Unified Crime Reports.

<sup>5</sup> In 2010, the Chesapeake Bay Health Report Card for 2009 gave the health of the bay its highest mark since 2002.

<sup>6</sup> There were 20,400 more Marylanders employed in 2010 than there were in 2009.

<sup>7</sup> Montgomery County has implemented a Stat-based performance measurement program – we'll ask the other 23 counties to follow their lead.

<sup>8</sup> Through innovative cross-border collaborations, the Division of Parole and Probation (DPP) receives email notifications when a MD offender is arrested in VA or DC, allowing for timely warrant service on offenders under DPP supervision. In addition to this real time exchange of information, the District of Columbia regularly contributes information to the Public Safety Dashboard, allowing law enforcement to effectively access information pertinent to criminal investigations.

<sup>9</sup> For the 5th consecutive year, Governor O'Malley has proposed a budget that complies with the spending affordability guidelines. The Governor's proposed FY2012 budget brings total spending reductions to \$6.6 billion while preserving over \$800 million in cash resources, including \$682 million in the Rainy Day fund.

<sup>10</sup> Abraham Lincoln, State of the Union Address, December 1, 1862.

<sup>11</sup> The Governor's proposed FY2012 budget reduces the structural deficit by 37%.

<sup>12</sup> In their report entitled, – "US Municipal FOCUS: State and local Government employment – How Significant?", RBC Capital Markets Corporation states that Maryland has the 8th smallest amount of state and local government employees as a percentage of total employment.

<sup>13</sup> In each year of the first term, the O'Malley-Brown Administration fully funded the State's required pension contribution. As the system exists today, the State's contribution to the pension system in FY2012 would be nearly \$1.5 billion, nearly tripling the \$555 million contributed in FY2003.

<sup>14</sup> Last year, Governor O'Malley successfully advocated for legislation to create a comprehensive Longitudinal Data System, which links data from Pre-Kindergarten through secondary and postsecondary education and into the workforce, to allow educators, parents and policy makers to better understand student progress over time.

<sup>15</sup> The O'Malley-Brown Administration has set a goal to increase the number of Marylanders who receive skills training by 20% by the end of 2012. It is projected that 39% of job openings in Maryland by 2018 will be – "middle skill jobs," jobs that require training or education beyond high school but do not require a four-year degree.

<sup>16</sup> The FY2012 proposed budget protects the largest ever \$5.7 billion investment in Maryland's top ranked public schools, bringing the O'Malley-Brown Administration's five year total to \$27.4 billion.

<sup>17</sup> The proposed FY2012 budget allocates \$9 million to keep tuition growth at a modest 3% for all University System of Maryland schools and Morgan State University.

<sup>18</sup> In the 2011 version of Kiplinger's – "Best Values in Public Colleges," the University of Maryland, College Park was ranked the 5th best value, up from 8th last year. Four other Maryland schools made the list: St. Mary's College of Maryland, Salisbury University, Towson University and University of Maryland, Baltimore County.

<sup>19</sup> Complete College Maryland is a competitive grant program that would provide funding to institutions of higher education that develop and implement innovative initiatives to assist students with the successful attainment of their degree or certificate.



<sup>20</sup> The completion rate at 4-year colleges in Maryland is 65.3% vs. the U.S. average, which is 55.9%. The completion rate at 2-year colleges in Maryland is 19.2% vs. the U.S. average of 27.5%.

<sup>21</sup> The O'Malley-Brown Administration set a goal that by 2025 at least 55% of the State's residents age 25-64 will hold at least one degree credential.

<sup>22</sup> Last September, the Maryland Department of Labor, Licensing and Regulation launched an enhanced Maryland Workforce Exchange. Marylanders are now able to log onto this virtual One-Stop and harness the use of web – "spidering technology" to access more job resources than ever before.

<sup>23</sup> Last year, Governor O'Malley released *CyberMaryland*, a public/private economic development initiative to position Maryland as the nation's epicenter for cyber security. Currently, 14.6% of all Maryland jobs are in the high-tech sector.

<sup>24</sup> Under Governor O'Malley's leadership, Maryland was ranked #2 in the country this year by the U.S. Chamber of Commerce for entrepreneurship and innovation.

<sup>25</sup> Since 2002, Maryland has overtaken Colorado and California in the Milken Institute's – "State Technology and Science Index", which are now ranked at numbers 3 and 4, respectively. Over the same time period, Virginia has dropped from 5th to 8th place in the rankings.

<sup>26</sup> In their report, *The 2010 State New Economy Index*, the Kauffman foundation says that Maryland is one of three states best positioned to win in the new economy.

<sup>27</sup> Maryland has the highest concentration of employed doctoral scientists and engineers out of any state in the nation, ranking first in employed PhD scientists and engineers per 100,000 employed workers.

<sup>28</sup> Of the reporting states, Maryland ranks 3rd in rate of growth for Computer Systems Design and 5th for Scientific R&D. In 2010, these sectors created 6,000 jobs.

<sup>29</sup> With support from the Maryland's Best agricultural program, demand for locally grown farm products has increased 37 percent.

<sup>30</sup> Maryland's first two commercial wind farms started generating clean energy in December. The two wind projects will together generate 120MW of renewable energy—enough to power 40,000 homes. The projects created more than 200 jobs during their construction.

<sup>31</sup> Benlysta, a drug developed by Human Genome Sciences in Rockville to treat lupus, will be the first drug approved for the treatment of lupus in 50 years if it is approved by the FDA in March.

<sup>32</sup> Life Technologies Corporation in Frederick has 390 full time employees. In 2009, the company completed an expansion of their facilities in Frederick and added 50 new jobs. They expect to hire an additional 100 employees by the end of 2011.

<sup>33</sup> Gliknik Inc in Baltimore, MD is a private company categorized under Biological Products Manufacturers. Gliknik, named 2009 Maryland Incubator Company of the Year, creates new therapies for patients with cancer and immune disorders by modulating the immune system to fight these diseases. Current estimates show this company has an annual revenue of 350,000 and employs a staff of approximately 4.

<sup>34</sup> Smiths Detection has grown by approximately 40% since 2008. The company currently employs over 215 people in Maryland.

<sup>35</sup> Sourcefire was founded in 2001 by Martin Roesch, the creator of Snort. The company created a commercial version of the popular Snort software: the Sourcefire 3D System, an intrusion prevention solution. Sourcefire states that it is committed to

advancing open source technology and continues to maintain close ties with the Snort user community. Headquartered in Columbia, MD, the company has offices worldwide. Sourcefire employs approximately 335 individuals.

<sup>36</sup> The Maryland Small Business Credit Guarantee Initiative provides loan guarantees for small and minority-owned businesses. To date, this program has approved assistance that will help create or retain close to 500 jobs and assist businesses with accessing nearly \$10 million in much-needed capital.

<sup>37</sup> MedImmune employs 2,050 people at their headquarters in Gaithersburg and manufacturing facility in Frederick.

<sup>38</sup> Human Genome Sciences is a biopharmaceutical corporation founded in 1992. The company focuses on drug development, as well as drug discovery and currently has a pipeline of novel compounds in clinical development, including drugs to treat such diseases as hepatitis C, lupus, anthrax disease, cancer, rheumatoid arthritis and HIV/AIDS. Its facilities are located in Rockville, Maryland and they employ 770 individuals.

<sup>39</sup> SB180/HB173 – *InvestMaryland* is a premium tax credit program designed to fuel venture capital investment in Maryland businesses by offering to insurance companies the opportunity to forward pay taxes at a discounted rate in exchange for an up-front investment in the program.

<sup>40</sup> The *Maryland Made Easy* initiative recently launched by the O'Malley-Brown Administration includes specific strategies for State agencies to help businesses grow and create jobs by streamlining processes, simplifying regulations and improving communication.

<sup>41</sup> In 2009, Governor O'Malley announced an agreement that will allow the Maryland Port Administration to lease its 200-acre Seagirt Marine Terminal to Ports America and in return, Ports America has agreed to construct a 50-foot berth for the Port of Baltimore. The partnership is expected to support 5,700 direct and indirect jobs and will generate \$15.7 million per year in new taxes for Maryland.

<sup>42</sup> Last year, Governor O'Malley joined GM in announcing that the company will produce electric transmissions at GM Powertrain Baltimore in White Marsh. The company will construct a high-volume electric drive manufacturing facility at the Baltimore County transmission plant, which is expected to create more than 800 direct, indirect and induced jobs in the State by 2018.

<sup>43</sup> MEA awarded over 1,450 grants to Maryland residents to install solar, wind and geothermal systems. The grants will save more than 8,000 MWh of clean energy annually, and created 85,000 man-hours of work just in direct installations.

<sup>44</sup> Governor O'Malley proposed three bills this session to promote electric vehicles in Maryland. SB176/HB167 would create the Maryland Electric Vehicle Infrastructure Council; SB177/HB163 would provide a tax credit equal to 20% of the cost of a charging station for companies and individuals who invest in electric vehicle charging station technology; and SB179/HB164 would require the Public Service Commission to implement a pilot program that permits utilities to offer incentives to electric vehicle owners to recharge electric vehicles during off-peak hours.

<sup>45</sup> Offshore wind energy represents the single greatest potential to bring large scale renewable energy to Maryland, along with stable energy prices and thousands of high-paying green jobs.

<sup>46</sup> The O'Malley–Brown Administration sponsored legislation that doubled the renewable energy portfolio, requiring 20% of the State's energy to come from renewable sources by 2022.

<sup>47</sup> The Maryland Department of Labor, Licensing and Regulation received a \$5.8 million grant from the U.S. Department of Labor to train 2,000 Marylanders for green jobs in the sectors of manufacturing, construction, environmental technology and solar energy.

<sup>48</sup> The legislation, with lead sponsors Delegate Brian Feldman and Senator Thomas Middleton, will require the Public Service Commission to adopt enhanced reliability standards and allow the Commission to fine utilities for poor performance and direct those payments back to the affected ratepayers.

<sup>49</sup> The O'Malley–Brown Administration's award-winning RecoveryStat website allows Marylanders to see where recovery funds are being invested in their communities.

<sup>50</sup> Since taking office, the O'Malley–Brown Administration has invested more than \$1.5 billion in school construction.

<sup>51</sup> Maryland remains a national leader in developing an electronic health information exchange, which allows health care professionals to quickly access and transfer patient health information. In Maryland, 5 hospitals are already connected electronically. The O'Malley–Brown Administration has set a goal for Maryland to become a national leader in health information technology by 2012.

<sup>52</sup> The O'Malley–Brown Administration has established 12 core goals to build a more prepared Maryland, including building a state-wide, state of the art interoperable radio system that will allow first responders across our State to communicate effectively during emergencies.

<sup>53</sup> In 2010, Maryland was awarded more than \$115 million in federal investments to extend broadband to rural and underserved communities across the State. The funds will allow for more than 1,300 miles of high-speed Internet line to be built, providing affordable Internet access to more than 1,006 total sites, such as schools, libraries, police and public safety locations, community colleges, higher education institutions and other government and community support centers.

<sup>54</sup> The Red and Purple lines are expected to remove more than 40,000 cars from our roads each day by 2030, resulting in a reduction in greenhouse gas emissions. The O'Malley–Brown Administration has set a goal to reduce greenhouse gas emissions by 25% by 2020.

<sup>55</sup> Since taking office, the O'Malley–Brown Administration has protected over 32,000 acres of critical landscapes through Program Open Space and in partnership with Community Parks and Playgrounds, provided over \$280 million to local governments to fund 959 local recreation projects.

<sup>56</sup> In June, Governor O'Malley designated 14 Maryland transit stations as priority sites for transit oriented development. The Governor also designated another 16 development projects as smart sites, projects deemed to be the most conducive to smarter, more sustainable growth in Maryland.

<sup>57</sup> The Chesapeake Bay Nitrogen Reduction Act signed by Governor O'Malley in 2009 requires that all new or replacement septic systems in the Critical Area use nitrogen removal technology, which can prevent 50 percent of a system's nitrogen from polluting groundwater and local waterways.

<sup>58</sup> In FY2010, Minority Business Enterprise (MBE) participation across State government was 23.2%, the highest percentage ever achieved in the history of the MBE program in Maryland.

<sup>59</sup> Last year, Governor O'Malley signed legislation establishing a goal for increased participation of veteran-owned businesses in State procurement.

<sup>60</sup> In 2010, Maryland was one of only six states in the country to receive a – “A” grade from the Pew Charitable Trusts for oral health for children in its report – “The Cost of Delay: State Dental Policies Fail One in Five Children.”

<sup>61</sup> From FY2009 to FY2010, 6,691 potentially preventable complications were avoided in Maryland hospitals through the Maryland Hospital Acquired Conditions Initiative.

<sup>62</sup> In December, Governor O'Malley arranged an agreement that preserved year-round racing at Maryland racetracks in 2011 and saved the struggling Laurel Park and Pimlico Racetracks, thereby keeping the Preakness Stakes, which is held at Pimlico, in Maryland.

<sup>63</sup> This year, Maryland submitted a region-leading Watershed Implementation Plan to aggressively reduce the amount of pollution entering the Chesapeake Bay.

<sup>64</sup> Preliminary statistics indicate that 127 fewer homicides occurred on our streets in 2010 than in 2007.

<sup>65</sup> The Maryland State Police began tracking this statistic in 1990.

<sup>66</sup> In 2009, the O'Malley-Brown Administration sponsored hard-hitting legislation to protect victims of domestic abuse. Governor O'Malley has set a goal to reduce violence against women and children by 25% by 2012.

<sup>67</sup> SB174/HB161 – Use of a Firearm in the Commission of a Crime of Violence or a Felony – This bill seeks to close a loophole in current Maryland law regarding persons who commit felonies and crimes of violence with firearms by ensuring that serious felons and violent criminals face the same criminal penalty, no matter the type of firearm they use to commit their crime.

<sup>68</sup> SB178/HB162 – Child Neglect – Penalties: This new legislation would make it a crime to intentionally fail to provide necessary assistance and resources for a minor, including food, clothing, medical care and supervision.

<sup>69</sup> Since its inception, the HOPE network has counseled over 52,000 Marylanders who were in danger of losing their homes. Of the over 16,000 cases that were completed to date, 93% resulted in positive outcomes for Maryland families.

<sup>70</sup> Last year, elementary and middle school students in Baltimore City achieved their highest Maryland State Assessment scores ever with 72% of students scoring at proficient or advanced levels in reading, while 66% of students scored at proficient or advanced levels in math.

<sup>71</sup> The number of Advanced Placement exams taken by Prince George's County high school student has more than doubled since 2005, and 50% more exams are being scored at college proficiency levels.

<sup>72</sup> More than 400 biotech and life sciences companies are located in Maryland, with many of them concentrated along the I-270 corridor between Bethesda and Frederick, including the Maryland Biotechnology Center, created in 2009 by Governor O'Malley as one of the first initiatives of BioMaryland 2020.

<sup>73</sup> Maryland is emerging as the center for innovations in cyber security. The Federal Government acknowledged Maryland's leadership in this area by establishing the new Cyber Command headquarters at Ft. Meade.

<sup>74</sup> The record nearly 400,000 acres of cover crops planted exceeds the 2011 Bay milestone for cover crops and their associated nutrient reductions.

**QUORUM CALL**

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

(See Roll Call No. 78A)

**ADJOURNMENT**

At 12:50 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 4, 2011.

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**Annapolis, Maryland**  
**Friday, February 4, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:14 A.M.

Prayer by Reverend Phillip Ayers, Covenant United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of February 3, 2011 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Jennings, Jones–Rodwell, Kasemeyer and Muse be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 80)

**INTRODUCTION OF BILLS**

**Senate Bill 394 – Senators Pugh, Conway, Currie, Forehand, Gladden,  
Jones–Rodwell, Madaleno, McFadden, Middleton, Montgomery, Muse,  
Peters, Pinsky, Ramirez, Raskin, Robey, and Stone**

AN ACT concerning

**Maryland Automobile Insurance Fund – Acceptance of Premiums on  
Installment Basis**

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis; providing for the application of this Act; and generally relating to accepting premiums on an installment basis on policies issued by the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 20–101(a) and (g)  
Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–507

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 395 – Senators Jacobs and Glassman**

AN ACT concerning

**Harford County Property Tax Credit – Homes Near a Refuse Disposal System  
– Extension to Additional Properties**

FOR the purpose of extending the property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems to certain additional residential real property; providing for the application of this Act; and generally relating to a certain authorization for Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–314(a)(1)(x)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–314(a)(4)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 396 – Senator Jacobs**

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 Judicial Proceedings.

**Senate Bill 397 – Senator Klausmeier**

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 Education, Health, and Environmental Affairs.

**Senate Bill 398 – Senators King, Garagiola, Manno, Montgomery, Peters, Ramirez, and Robey**

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 Budget and Taxation.

**Senate Bill 399 – Senators King, Colburn, Garagiola, Manno, McFadden,  
Peters, Pugh, Ramirez, and Robey**

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 Budget and Taxation.

**Senate Bill 400 – Senators King, Ferguson, Forehand, Montgomery, Peters,  
Pugh, Ramirez, Raskin, and Robey**

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 Finance.

**Senate Bill 401 – Senators King, Gladden, Klausmeier, Madaleno, McFadden, Montgomery, Muse, Pinsky, Rosapepe, and Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 402 – Senator Glassman**

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 Finance.

**Senate Bill 403 – Senator Jones–Rodwell (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 Budget and Taxation.

### **Senate Bill 404 – Senator Pipkin**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 405 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Kennard High School  
Restoration**

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

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

**Senate Bill 406 – Senator Pipkin**

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 Finance.

**Senate Bill 407 – Senator Pipkin**

AN ACT concerning

**Sewage Sludge Utilization Permits – Chesapeake and Atlantic Coastal Bays  
Critical Area – Judicial Review**

FOR the purpose of applying certain standing requirements, legal processes for judicial review of environmental permits, and a certain prohibition against contested case hearings to certain sewage sludge utilization permits issued for land in the Chesapeake and Atlantic Coastal Bays Critical Area; and generally

relating to standing in certain environmental protection proceedings and certain judicial actions.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 1–101(b), 1–605, and 1–606  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 1–601  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 408 – Senators Raskin, Forehand, and Robey**

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 Judicial Proceedings.

**Senate Bill 409 – Senators Raskin, Ferguson, Forehand, Frosh, King, Madaleno, Manno, and Rosapepe**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 410 – Senator Raskin**

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 Judicial Proceedings.

### **Senate Bill 411 – Senators Raskin and Forehand**

AN ACT concerning

#### **Financial Crimes – Seizure and Forfeiture of Property**

FOR the purpose of establishing seizure and forfeiture procedures for property obtained through or used in connection with certain financial crimes; establishing conditions that would exclude certain property from forfeiture; establishing how certain property subject to forfeiture may be seized, with certain exceptions; establishing circumstances that must be considered when determining whether to seize certain property; establishing a certain deadline for filing a complaint seeking forfeiture; providing for the contents and distribution of a certain complaint; providing for the forfeiture of interest in certain real property; providing for a stay of forfeiture of a certain family residence under certain circumstances; establishing a certain rebuttable presumption; providing for certain posthearing orders; providing for the application of proceeds from a certain sale of forfeited property; defining certain terms; providing for the application of this Act; providing for the effective date of this Act; and generally relating to seizure and forfeiture of property used in connection with violation of the Financial Crimes law.



BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 12–101(c), (f), (g), (i), (k), and (o), 12–202, 12–203, 12–208 through 12–211, 12–301 through 12–308, 12–402, and 12–403

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Criminal Procedure

Section 13–501 through 13–509 to be under the new subtitle “Subtitle 5. Violations of Financial Crimes Law”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 412 – Senator Getty**

AN ACT concerning

#### **Agriculture – Easements – Separate Parcels**

FOR the purpose of providing that, if certain parcels of land under a certain deed of easement meet certain requirements, the separate conveyance of the parcels is not a subdivision for a certain purpose and does not require approval by the Maryland Agricultural Land Preservation Foundation; and generally relating to agricultural preservation easements.

BY adding to

Article – Agriculture

Section 2–514.2

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 413 – Senator Garagiola**

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 Finance.

### **Senate Bill 414 – Senator Frosh**

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 Education, Health, and Environmental Affairs.

**Senate Bill 415 – Senators Forehand, Kelley, Madaleno, Manno, Montgomery, Pinsky, Rosapepe, and Young**

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 Judicial Proceedings.

**Senate Bill 416 – Senators Middleton, Edwards, and Mathias**

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 Finance.

**Senate Bill 417 – Senators Pinsky, Frosh, Madaleno, Raskin, and Rosapepe**

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 Education, Health, and Environmental Affairs.

**Senate Bill 418 – Senator DeGrange**

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 Budget and Taxation.

**Senate Bill 419 – Senators DeGrange, Brinkley, Colburn, Currie, Edwards, Jones–Rodwell, Middleton, and Robey**

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 Budget and Taxation.

**Senate Bill 420 – Senator Edwards**

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; 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 Education, Health, and Environmental Affairs.

### **Senate Bill 421 – Senators Edwards and Middleton**

AN ACT concerning

#### **Program Open Space – Attainment of Acquisition Goals – Increased Allocation for Local Government**

FOR the purpose of altering the amount a local government can spend on development projects after it has attained its acquisition goals under Program Open Space; repealing a certain limitation on the use of certain funds; and generally relating to the apportionment of local government funds for Program Open Space.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–905(c)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 422 – Senator Edwards**

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 Education, Health, and Environmental Affairs.

**Senate Bill 423 – Senators Peters, Colburn, Garagiola, Glassman, Kasemeyer, Klausmeier, Mathias, Middleton, Miller, Pugh, Robey, and Zirkin**

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 Budget and Taxation.

**Senate Bill 424 – Senators Brochin and Forehand**

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 Judicial Proceedings.

### **Senate Bill 425 – Senator Astle**

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 Judicial Proceedings.

### **Senate Bill 426 – Senator Reilly**



AN ACT concerning

**Pregnancy Outcomes – Confidential Statistical Reporting Requirements**

FOR the purpose of requiring certain hospitals and facilities to report pregnancy terminations to the Department of Health and Mental Hygiene; requiring a certain report completed by a hospital or facility to meet certain requirements and to include certain information; requiring certain physicians to submit a certain report to the Department within a certain period of time; requiring the Department to submit a certain annual report to the Governor and General Assembly; providing that certain reports required under this Act are not public records and are confidential; providing for certain penalties; requiring the Department to adopt certain regulations; authorizing the State Board of Physicians to provide for certain disciplinary action for a licensee who violates certain provisions of this Act; and generally relating to the reporting of pregnancy terminations.

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)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 14–404(a)(40) and (41)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – Health Occupations  
Section 14–404(a)(42)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 427 – Senator Jacobs**

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 Budget and Taxation.

**Senate Bill 428 – Senator Klausmeier**

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 Finance.

**Senate Bill 429 – Senator Klausmeier**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of authorizing a landlord to set the rate at which simple interest accrues on a security deposit of a tenant under a certain residential lease to be a certain fixed rate or floating rate; requiring a certain rate set by the landlord to be stated in the tenant’s written lease; requiring a certain rate of interest to accrue on a security deposit if the certain rate is not stated in the tenant’s written lease; making conforming changes; and generally relating to residential leases and security deposits.

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 Judicial Proceedings.

**Senate Bill 430 – Senator Klausmeier**

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 Finance.

**Senate Bill 431 – Senator Klausmeier (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 Budget and Taxation.

**Senate Bill 432 – Senator Rosapepe**

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 Budget and Taxation.

**Senate Bill 433 – Senator Rosapepe**

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 Budget and Taxation.

**Senate Bill 434 – Senator Rosapepe**

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 Budget and Taxation.

**Senate Bill 435 – Senator Rosapepe**

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 Budget and Taxation.

**Senate Bill 436 – Senator Rosapepe**

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 Budget and Taxation.

**Senate Bill 437 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Parkland Acquisition**

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 Budget and Taxation.

**Senate Bill 438 – Senator Rosapepe**

AN ACT concerning

**Maryland–Washington Metropolitan District and Regional District –  
Boundaries – City of Laurel**

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 Education, Health, and  
Environmental Affairs.

**Senate Bill 439 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$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 Budget and Taxation.

**Senate Bill 440 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory Anderson Murphy Community Center**

FOR the purpose of authorizing the creation of a State Debt 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 Budget and Taxation.

**Senate Bill 441 – Senators Kasemeyer, Brinkley, DeGrange, Edwards, Forehand, Garagiola, Getty, King, Klausmeier, McFadden, Middleton, Miller, Pipkin, Pugh, Robey, and Stone**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Gaming – Video Lottery Terminals – Additional Forms or Expansion of Commercial Gaming by Supermajority of General Assembly**

FOR the purpose of proposing an amendment to Article XIX – Video Lottery Terminals of the Maryland Constitution; authorizing the General Assembly to allow additional forms or expansion of the operation of video lottery terminals or other commercial gaming if approval is granted by three-fifths of the members of the Senate and three-fifths of the members of the House of Delegates;

repealing certain restrictions concerning the number and placement of video lottery terminals in the State and the primary purpose for which revenues from the terminals may be used; repealing a requirement that approval for additional forms or expansion of commercial gaming be granted through a statewide referendum; 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 Budget and Taxation.

**Senate Bill 442 – Senators Young, Colburn, DeGrange, Edwards, Forehand, Garagiola, Rosapepe, and Shank**

AN ACT concerning

**Maryland Environmental Trust – Easements – Local Approval**

FOR the purpose of prohibiting the Maryland Environmental Trust from acquiring a perpetual conservation easement on certain property unless the appropriate governing body approves the transaction; and generally relating to the Maryland Environmental Trust and the acceptance of easements.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 3–203.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 443 – Senators Young, Brinkley, Colburn, Edwards, Ferguson, Forehand, Frosh, Jones–Rodwell, Manno, Mathias, Middleton, Montgomery, Raskin, Rosapepe, and Shank**

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 Education, Health, and Environmental Affairs.

**Senate Bill 444 – Senators Kelley, Benson, Jones–Rodwell, Madaleno, Manno, Pugh, and Raskin**

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 Finance.

**Senate Bill 445 – Senators Garagiola, Frosh, Forehand, King, Madaleno, Manno, and Montgomery**

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 Budget and Taxation.

**Senate Bill 446 – Senators Frosh, Brochin, Conway, Dyson, Gladden, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, and Young**

AN ACT concerning

**Election Law – Independent Expenditures – Reporting and Disclosure Requirements**

FOR the purpose of requiring a business entity or nonprofit organization that makes certain independent expenditures to file an independent expenditures report at times and locations required by certain provisions of law; requiring the report to include certain information and be signed by a certain individual; requiring the business entity or nonprofit organization to file the report by certain filing deadlines; requiring the report to cover certain reporting periods; applying certain sanctions to a business entity or nonprofit organization that fails to file a certain report; clarifying that the requirement for a certain authority line applies to a person that makes an independent expenditure for campaign material; defining a certain term; and generally relating to requirements for independent expenditures made by business entities or nonprofit organizations.

BY renumbering

Article – Election Law  
Section 13–301  
to be Section 13–302  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Election Law  
Section 13–301  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–304, 13–309, 13–312, 13–316, 13–327, and 13–401  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 447 – Senators Brochin and Stone**

AN ACT concerning

**Evidence – Separate Act of Sexual Misconduct Involving a Minor –  
Admissibility**

FOR the purpose of authorizing a court to admit evidence of a defendant's commission of a certain separate act of sexual misconduct involving a minor in a prosecution for certain sexual offenses involving a minor under certain circumstances; requiring the State's Attorney to disclose to the defendant the State's intent to offer the evidence within a certain time period before the trial unless the court allows disclosure at a later time for good cause shown; specifying the content of the disclosure to the defendant; prohibiting certain evidence from being referred to in a statement to the jury or introduced at trial unless the court first holds a closed hearing and determines that the evidence is admissible; requiring the court to enter an order stating which evidence may be introduced under certain circumstances; authorizing the court to reconsider a ruling excluding evidence and hold an additional closed hearing if new information is discovered during the trial that may make the evidence admissible; defining certain terms; providing for the construction and application of this Act; and generally relating to the admissibility of evidence in criminal proceedings.

BY adding to

Article – Courts and Judicial Proceedings  
Section 10–916.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 1–101(g)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 448 – Senators Pugh, Benson, Frosh, Madaleno, McFadden, Muse, Ramirez, and Raskin**

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 Finance.

**Senate Bill 449 – Senators Pugh, Ferguson, and Gladden**

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 Education, Health, and Environmental Affairs and the Committee on Finance.

**Senate Bill 450 – Senator Frosh**

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 Judicial Proceedings.

**Senate Bill 451 – Senators Manno and Miller**

AN ACT concerning

**Transportation – Sales and Use Tax – Funding for Mass Transit Projects**

FOR the purpose of requiring the Comptroller to distribute certain sales and use tax revenues collected on the sale of motor fuel to the Mass Transit Facility Revenue Account of the Transportation Trust Fund and the Transportation Trust Fund; repealing an exemption under the sales and use tax for the sale of motor fuel that is subject to the motor fuel tax; providing an exemption under the sales and use tax for certain motor fuel that is exempt from the motor fuel tax; altering the rate of the motor carrier tax to include a certain per gallon sales and use tax equivalent rate; altering a credit allowed against the motor carrier tax to include certain sales and use tax that the motor carrier paid on

motor fuel bought in the State; establishing a sales and use tax rate for certain motor fuel; providing for the computation of a sales and use tax on certain motor fuel; allowing a certain exception; altering certain exemptions under the sales and use tax relating to motor fuel; requiring a buyer to pay the sales and use tax on certain sales of motor fuel that are exempt from the tax and allowing the buyer to file a claim for refund of the tax paid; providing for the prepayment of the sales and use tax for motor fuel by a person who is required to pay the motor fuel tax for that fuel and for the collection of the amounts prepaid from certain purchasers of the motor fuel; requiring certain persons to file certain reports or provide certain invoices or other evidence of collection of the prepayment amounts; establishing a certain prepayment rate for a certain period; authorizing the Comptroller to determine certain prepayment rates; creating a Mass Transit Facility Revenue Account in the Transportation Trust Fund; specifying the purpose of the Account; establishing the composition of the Account; providing for the disbursement of funds from the Account; providing for the payment of certain taxes on certain tax-paid motor fuel held as of a certain date; defining a certain term; and generally relating to certain taxes and the distribution of certain tax revenues.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1302.2, 9–204, 9–214, 11–104(b), 11–208(c), 11–221(a), 11–301, 11–601(b)(3), and 13–901(g)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Tax – General

Section 11–101(n–1), 11–104(a–1), 11–408(d), and 11–410

Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–216(c)

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Transportation

Section 7–309

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 452 – Senator Simonaire**

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 Education, Health, and Environmental Affairs.

**Senate Bill 453 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Stevenson University Football Stadium**

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 Stevenson University for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 454 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; altering the date by which Queen Anne's County is required to file its annual financial report for the fiscal year with the Department of Legislative Services; altering the date by which St. Mary's

County is required to file its annual financial report for the fiscal year with the Department of Legislative Services; authorizing the reserve investments of an insurer to include securities lending, repurchase, reverse repurchase, and dollar roll transactions with business entities, subject to certain requirements; authorizing certain nonprofit organizations to market and sell certain commemorative hunting licenses in cooperation with the Department of Natural Resources; requiring the proceeds from sales of certain hunting licenses to be used to fund conservation law enforcement by the Natural Resources Police Force; authorizing the Department of Natural Resources to adopt regulations to carry out certain provisions relating to commemorative hunting licenses; authorizing a person in certain counties to hunt deer on private property with a crossbow on certain Sundays, subject to certain provisions; authorizing the Board of County Commissioners of Cecil County to enact an ordinance to allow collective bargaining between the Board of County Commissioners and a certain representative of certain employees in the Division of Emergency Medical Services concerning certain issues; requiring that the proceeds of the loan under Chapter 523 of the Acts of 2010 be expended not later than a certain number of years after the issuance of the bonds authorized under the Act; establishing that, except as otherwise provided, provisions of law relating to certain rights of State correctional officers supersede inconsistent provisions of certain other State and local laws; establishing that the Administrative Procedure Act governs to the extent that certain provisions of law relating to procedures for certain correctional officer hearing boards are inconsistent with the Administrative Procedure Act; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

- BY repealing and reenacting, without amendments,  
Article 19 – Comptroller  
Section 37  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 5–608(t)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10–301.3 and 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)



BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 12–128  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
The Public Local Laws of Cecil County  
Section 15–13  
Article 8 – Public Local Laws of Maryland  
(1989 Edition and November 2010 Supplement, as amended)  
(As enacted by Chapter 602 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, without 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(3) Item KA05(E) and Item VE01(B)

BY repealing and reenacting, without amendments,  
Chapter 523 of the Acts of the General Assembly of 2010  
Section 1(8)

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 10–903 and 10–909  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 455 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code, certain local laws, and certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for

the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 5–401(r), 6–201(r)(19)(xi)3., 6–401(r), 7–101(b)(11)(iv)1., and  
13–101(b)(1)(iv) and (c)(4)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–104(e)(5)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 419 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1302(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 5–114.1(g)(1)(xi) and (xvii)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–101(f)(2), 11–402, 14–314(f)(3) and (4), and 18–3A–02(c)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 2–316.1(1)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 11–1101(d)(1), 12–1201(g), 14–701(a), 14–1201(f), 16–207(f)(2), and  
19–203(8)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

- BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 3–603(b)(4)(ii), 4A–911(d), 9A–1007(d), 10–209(d), and 12–801(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–02(c)(2)(ii) and 3–8A–01(p)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–802(a)(1)(iii), 4–203(c)(4)(i)1., and 5–401(b)(2)(ii)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 9–804(c)(2)(i)  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)  
(As enacted by Chapter 197 of the Acts of the General Assembly of 2010)
- BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–503(c)(1)(ii) and 11–701(o)(4)(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–114(d), 7–103(a)(1)(ii), 7–302(c), 7–409(f)(7)(i)4., 11–102(b)(1)(i),  
11–206(a)(2), 13–511(b)(2)(x), 13–516(e)(3), and 18–705(c)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–311(c)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Chapters 237 and 238 of the Acts of the General Assembly of  
2010)

BY repealing and reenacting, with amendments,

Article – Education

Section 19–102(a)(5) and (e)(2)(ii)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

(As enacted by Chapter 246 of the Acts of the General Assembly of 1988)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–301(b)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–203(b)(8), 5–203.1(a)(2), 7–214, 15–1204(b)(2), and 16–101(j)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing

Article – Environment

Section 16–101(i)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY adding to

Article – Environment

Section 16–101(j)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 9–103(b) and 9–105(c)

Annotated Code of Maryland

(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–508.1(c) and 5–561(i)(2)(ii)

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–301(c), 7–717(a)(2), 13–1101(z) through (ii), 13–1114(c),  
15–135(e)(2)(ii), 18–338.1(h)(1), 19–120(a), (e), (g)(2)(iii) and (iv),

(h)(2)(ii)2.C. and (iii)2.A., (j)(2)(iv)1., 2.A., and 3., (k)(2)(ii)1. and (6)(v), (viii), and (ix), (l), (n), and (o), 19–211(a)(1), 19–705.1(b), 19–706(fff) through (jjjj), and 19–1409(b)(8)

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

BY repealing

Article – Health – General  
Section 13–1101(y), 19–120(m), and 19–706(eee)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 18–331(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 578 of the Acts of the General Assembly of 1984)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 3–602, 4–308(f) and (h)(4)(viii), 4–315(a)(24), 8–205(a)(3),  
14–504(g)(2), and 15–402(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 15–101(q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)  
(As enacted by Chapters 273 and 274 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development  
Section 2–201  
Annotated Code of Maryland  
(2006 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 5–309(b)(3)(ii), 5–313(a)(2)(ii), 5–318(e)(1)(ii), and 10–902(c)(2)  
Annotated Code of Maryland  
(2007 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 6–107(b)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–903(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 2 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 1–203(b) and (f), 4–216(d)(3), and 4–217(d)(3); the subtitle designation  
“Subtitle 6. Licensing, Regulation and Supervision of Fishing and  
Fisheries in Nontidal Waters” to immediately precede Section 4–601; and  
4–745(a)(1), (b)(4)(iii)2., (c), and (d)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–601  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–614(a)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)  
(As enacted by Chapter 465 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1815(a)(2)(i)1.  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701(h)(2) and 27–102(d)(4)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 12–107(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)  
(As enacted by Chapter 635 of the Acts of the General Assembly of 2010)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1(d)(2)(x)1., 8–402.2(c)(2), 8A–401(a), 8A–603, 8A–605(b),  
8A–1201(b)(2)(iv), 9–103(c)(2), 9–105(a)(1)(iii) and (3),  
11–109(c)(16)(iii), 14–125.1(d)(4), and 14–506(b)(3)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–5A–02(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)  
(As enacted by Chapters 318 and 319 of the Acts of the General Assembly of  
2010)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7B–01(c)(1)(i), 8–117(g)(1), 10A–101(a)(3) and (5), 14–301(i)(1)(i)5.,  
and 14–409(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–10A–03(b)(2)(i), 9–1A–26(a)(1), and 9–1406(h)(1)(iv)3.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–305.5(h)(3), 21–306(d)(4)(ii) and (e)(2)(i), 21–306.1(e)(2)(i),  
21–306.2(e)(2)(i), 26–303(a), 28–201, and 28–304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–720(c)(3), 10–722(i)(2) and (j)(2), and 11–108  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–909(1)(ii)

Annotated Code of Maryland

(2010 Replacement Volume)

(As enacted by Chapter 135 of the Acts of the General Assembly of 1988)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–912(a)(7)(i)2., (ii)2., and (iii)2.

Annotated Code of Maryland

(2010 Replacement Volume)

(As enacted by Chapter 410 of the Acts of the General Assembly of 2004)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–317(b)(2) and (3)

Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 4–312(a)(1) and 4–406(a)(5)(ii)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–410(f), 13–506(e)(2), 13–815(a)(3)(vii) and (e)(3), 15–101(g)(2)(i),  
16–111(e)(3)(i), and 17–106(e)(4)(i); and the subtitle designation “Subtitle  
3. Mobile Seafood Vendors” to immediately precede Section 24–301

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing

Article – Transportation

Section 16–104

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 24–301(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)



BY repealing and reenacting, with amendments,  
Chapter 15 of the Acts of the General Assembly of 2010  
Section 3

BY repealing and reenacting, with amendments,  
The Public Local Laws of Washington County  
Section 1–106.5  
Article 22 – The Public Local Laws of Maryland  
(2007 Edition and October 2010 Supplement, as amended)

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

### **THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 69 – Senator Glassman**

AN ACT concerning

#### **Property Tax – Assessment Appeal Hearings – Right to Record**

**SB0069/409432/1**

BY: Budget and Taxation Committee

#### AMENDMENTS TO SENATE BILL 69

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “expense;” insert “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;”.

AMENDMENT NO. 2

On page 3, after line 30, insert:

**“(3) THE DEPARTMENT MAY NOT BE REQUIRED TO PROVIDE RECORDING EQUIPMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION.”**

AMENDMENT NO. 3

On page 4, in line 1, after “That” insert “the State Department of Assessments and Taxation is not required to update the printed copies of the Property Owner’s Bill of Rights to reflect changes made in this Act until the next scheduled printing of the Property Owner’s Bill of Rights. The Department shall update the Property Owner’s Bill of Rights on the Department’s Web site to reflect changes made in this Act.”

SECTION 3. AND BE IT FURTHER ENACTED, That”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

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

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

February 3, 2011

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

**District Court, Baltimore City (District 1)**

1. Shannon E. Avery District 40

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from July 30, 2010

**District Court, Baltimore County (District 8)**

2. Marsha L. Russell District 7

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 5, 2010

3. Leo Ryan, Jr. District 42

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 6, 2010

4. Steven D. Wyman District 42

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from August 6, 2010

**District Court, Howard County (District 10)**

5. Ricardo D. Zwaig, Esq. District 9

Judge of the District Court of Maryland, District 10, Howard County; appointed to serve a term of ten years from August 13, 2010

**District Court, Montgomery County (District 6)**

6. Audrey A. Creighton, Esq. District 15

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 13, 2010

**District Court, St. Mary's County (District 4)**

7. Karen Christy Holt Chesser District 29

Judge of the District Court of Maryland, District 4, St. Mary's County; appointed to serve a term of ten years from June 7, 2010

**Special Appeals, Court of**

8. Michele D. Hotten District 23

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from August 17, 2010

9. Shirley M. Watts District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 27, 2011

**Financial Regulation**

10. Mark Kaufman District 43

4405 Bedford Place  
Baltimore, MD 21218

Commissioner of Financial Regulation; appointed to serve at the pleasure of the Secretary of DLLR

**Health and Mental Hygiene, Department of**

11. Joshua Sharfstein, M.D. District 41

5820 Pimlico Road  
Baltimore, MD 21209

Secretary of Department of Health and Mental Hygiene; appointed to serve at the pleasure of the Governor

**Prosecutor, State**

12. Emmet C. Davitt, Esq. District 12

122 South Rolling Road  
Catonsville, MD 21228

State Prosecutor; appointed to serve remainder of a term of six years from September 1, 2010

**African American History and Culture, Commission on**

13. Najah K. Duvall–Gabriel District 22  
6006 43rd Avenue  
Hyattsville, MD 20781

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2010

**Airport Zoning Appeals Board**

14. Manuel R. Geraldo, Esq. District 26  
802 Swan Creek Road  
Fort Washington, MD 20744

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a term of four years from July 1, 2008

**Architects, State Board of**

15. William N. Parham, Jr. District 33  
594 Pinedale Drive  
Annapolis, MD 21401–6866

Member of the State Board of Architects; appointed to serve remainder of a term of five years from July 1, 2009

**Architectural Review, State Board of**

16. William T. Baker, Jr. District 35  
1311 Vanderbilt Road  
Bel Air, MD 21014

Member of the State Board of Architectural Review; appointed to serve a term of four years from July 1, 2010

17. Edward C. Kohls District 5  
13011 Dover Road  
Reisterstown, MD 21136

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

18. James E. Louviere District 18  
9911 Markham Street  
Silver Spring, MD 20901–2234

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

19. Steven G. Ziger District 40  
4419 Wickford Road  
Baltimore, MD 21210

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

### **Arts Council, Maryland State**

20. Eric A. Conway District 7  
2 Timberpark Court  
Lutherville, MD 21093

Member of the Maryland State Arts Council; appointed to serve remainder of a term of three years from July 1, 2009

### **Assistive Technology Guaranteed Loan Program Board of Directors**

21. Regina V. Lee–Byrd District 22  
7825 Mandan Road, #104  
Greenbelt, MD 20770

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

### **Boiler Rules, Board of**

22. Eric Harvey District 37  
9851 Bantry Road  
Easton, MD 21601

Member of the Board of Boiler Rules; appointed to serve remainder of a term of four years from January 1, 2010

23. Brian M. Wodka District 5  
808 Walker Station Court  
Parkton, MD 21120

Member of the Board of Boiler Rules; appointed to serve remainder of a term of four years from January 1, 2010

### Lottery Agency, State

24. Stephen L. Martino, Esq. District 9  
4014 Victoria Falls Drive  
Ellicott City, MD 21043

Director of the State Lottery Agency; appointed to serve at the pleasure of the Governor

### Statewide Nominees

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### Architectural Review, State Board of

- S-1. Susan Hains, AIA District 16  
6921 Winterberry Lane  
Bethesda, MD 20817

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

- S-2. Carol D. Macht District 42  
1409 Walnut Hill Lane  
Baltimore, MD 21204

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

- S-3. Edward A. Masek, Jr. District 33  
124 St. Andrews Road  
Severna Park, MD 21146

Member of the State Board of Architectural Review; reappointed to serve a term of four years from July 1, 2010

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 81)

### **QUORUM CALL**

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

(See Roll Call No. 82)

### **RECESS**

At 11:33 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:00 P.M. on Monday, February 7, 2011, in Honor of John Jeffries.



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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: February 4, 2011**  
**Calendar Day: Monday, February 7, 2011**

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At 8:11 P.M. the Senate resumed its session.

Prayer by Pastor Reginald Wade Lawrence, St. Mark's Institutional Baptist Church, guest of Senator Jones-Rodwell.

On motion of Senator Garagiola it was ordered that Senators Jennings and Kittleman be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 84)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 176 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Middletown High School Girls Soccer Team  
in recognition of  
winning the Class 2A Championship and their  
first undefeated season in school history.  
Congratulations on an excellent season!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 7th day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 85)

**INTRODUCTION OF BILLS****Senate Bill 456 – Senators Kelley, Forehand, Garagiola, Jones–Rodwell, Klausmeier, Middleton, Montgomery, and Pugh**

AN ACT concerning

**Department of Health and Mental Hygiene – Emergency Standards for Moderate Sedation**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt certain regulations for certain health care practice sites; requiring the regulations to address appropriate emergency supplies and equipment and appropriate standards and procedures to be followed in the event of an emergency; establishing a certain penalty for a violation of certain regulations; and generally relating to regulation of moderate sedation.

BY adding to

Article – Health – General

Section 13–3001 through 13–3003 to be under the new subtitle “Subtitle 30. Emergency Standards for Moderate Sedation”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 457 – Senator Forehand**

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 Judicial Proceedings.

**Senate Bill 458 – Senator Pipkin**

AN ACT concerning

**Maryland Department of Transportation – Enhanced Inspection of Bridges –  
Adoption of Regulations**

FOR the purpose of requiring the Maryland Department of Transportation to adopt, by a certain date, regulations concerning enhanced inspection of bridges in the State; requiring the regulations to include certain policies and practices; and generally relating to regulations governing enhanced inspection of bridges in the State.

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

**Senate Bill 459 – Senator Pipkin**

AN ACT concerning

**Public Service Commission – Electric and Gas Consumers**

FOR the purpose of providing that the primary objective of the Public Service Commission is to obtain the lowest rates for consumers when setting a just and reasonable rate of an electric company or gas company; providing that the primary purpose of the Commission when carrying out certain functions relating to natural gas suppliers is to obtain the best price for gas consumers; requiring that certain consumer protection orders and regulations adopted by the Commission relating to gas suppliers be designed to obtain the best price for consumers; and generally relating to the Public Service Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 4–102 and 7–604  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Public Utilities  
Section 7–601.1  
Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 460 – Senator Pipkin**

AN ACT concerning

**Nuclear Power Transparency Act of 2011**

FOR the purpose of prohibiting a person from operating a nuclear generating facility in the State until the person discloses certain information to the Public Service Commission in writing; and generally relating to operating a nuclear generating facility in the State.

BY adding to

Article – Public Utilities

Section 7–207.2

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 461 – Senator Pipkin**

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 Budget and Taxation.

**Senate Bill 462 – Cecil County Senators**

AN ACT concerning

**Cecil County – Park Land Regulations**

FOR the purpose of authorizing the Board of County Commissioners of Cecil County to adopt, by resolution, comprehensive park land regulations; specifying that the resolution may provide for enforcement of the regulations, including the imposition of certain criminal or civil penalties; and generally relating to authority for the Board of County Commissioners of Cecil County to adopt comprehensive park land regulations.

BY adding to

The Public Local Laws of Cecil County

Section 57-13

Article 8 – Public Local Laws of Maryland

(1989 Edition and November 2010 Supplement, as amended)

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

### **Senate Bill 463 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$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 Budget and Taxation.

**Senate Bill 464 – Carroll County Senators**

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 Judicial Proceedings.

**Senate Bill 465 – Carroll County Senators**

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 Finance.

**Senate Bill 466 – Carroll County Senators**

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 Education, Health, and Environmental Affairs.

**Senate Bill 467 – Carroll County Senators**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 468 – Carroll County Senators**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 469 – Carroll County Senators**

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 Judicial Proceedings.

### **Senate Bill 470 – Carroll County Senators**

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 Budget and Taxation.

### **Senate Bill 471 – Carroll County Senators**

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 Budget and Taxation.

### **Senate Bill 472 – Carroll County Senators**

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 Education, Health, and Environmental Affairs.

**Senate Bill 473 – Senators Madaleno, Currie, Forehand, Jones–Rodwell, Montgomery, and Rosapepe**

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 Budget and Taxation.

**Senate Bill 474 – Senators Madaleno, Colburn, Currie, Forehand, Manno, Middleton, Pugh, Raskin, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 475 – Senator Benson**

AN ACT concerning

#### **Business Occupations – Plumbers and Gas Fitters – Apprentice License Renewal**

FOR the purpose of prohibiting the State Board of Plumbing from renewing an apprentice plumber license or apprentice natural gas fitters license for more than a certain number of consecutive terms under certain circumstances and subject to certain exceptions; authorizing the Board to deny, suspend, or revoke certain licenses or reprimand certain licensees for failure to take or register to take certain examinations within a certain period of time; and generally relating to the license renewal of apprentice plumbers and apprentice natural gas fitters.

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 12–101(b) and (c), 12–307(c) and (g), and 12–313(a)

Annotated Code of Maryland

(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 12–308(a) and 12–312(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume)

BY adding to

Article – Business Occupations and Professions

Section 12–308.1

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 476 – Senator Benson**

AN ACT concerning

**Counselors Home Study – Online Study**

FOR the purpose of repealing a provision prohibiting the State Board of Professional Counselor 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 Education, Health, and Environmental Affairs.

**Senate Bill 477 – Senator Kittleman**

AN ACT concerning

**Senatorial and Delegate Scholarships – Posting of Award Recipients**

FOR the purpose of requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to post on its Web site and to make available a list of names and addresses of recipients of Senatorial and Delegate scholarships and certain information relating to the legislators who made the scholarship award; and generally relating to the dissemination of information regarding recipients of Senatorial and Delegate scholarships.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–407  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 18–503.1  
Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 478 – Senator Kittleman**

AN ACT concerning

**Cosmetologists, Esthetic Service Providers, and Nail Technicians – Salon Affiliation Requirement – Repeal**

FOR the purpose of repealing certain provisions of law that prohibit a person who practices cosmetology, provides esthetic services, or provides nail technician services from providing certain services in any place other than a beauty salon that holds a beauty salon permit or a barbershop that holds a barbershop permit; repealing certain provisions of law regarding certain exceptions to certain place of practice licensing requirements; and generally relating to repealing salon affiliation requirements for cosmetologists, esthetic service providers, and nail technicians.

BY repealing

Article – Business Occupations and Professions  
Section 5–605  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 479 – Senators Conway, Manno, Raskin, Benson, Ferguson, Frosh, Garagiola, Gladden, Glassman, Pinsky, Pugh, Young, and Zirkin**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 480 – Senators Forehand and Ramirez**

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 Judicial Proceedings.

### **Senate Bill 481 – Senator Jones–Rodwell (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 (c)  
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 Budget and Taxation.

**Senate Bill 482 – Senators Forehand, Astle, DeGrange, Dyson, Edwards, Glassman, King, Klausmeier, and Robey**

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 Judicial Proceedings.



**Senate Bill 483 – Senators Forehand, Madaleno, Rosapepe, and Stone**

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 Judicial Proceedings.**Senate Bill 484 – Senators King, Forehand, Garagiola, Montgomery, Peters, and Robey**

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 Finance.

**Senate Bill 485 – Senators King, DeGrange, Madaleno, Manno, and Young**

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 Budget and Taxation.

**Senate Bill 486 – Senators Middleton, Dyson, and Miller**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program –  
Eligibility for Enrollment and Participation of Retirees**

FOR the purpose of providing that certain retirees of certain regional libraries may participate in the health benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring certain regional libraries to pay to the State the total costs resulting from participation of the retirees of the regional libraries in the Program; requiring certain regional libraries to make certain determinations about

subsidizing participation of their retirees in the Program; providing that retirees of certain regional libraries who participate in the State Employee and Retiree Health and Welfare Benefits Program are subject to certain terms and conditions; and generally relating to the participation of retirees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–515.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 487 – Senators Middleton and Frosh**

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 Education, Health, and Environmental Affairs.

**Senate Bill 488 – Senators Conway, Ferguson, Jones–Rodwell, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class B–D–7 License Holders – Security Plan**

FOR the purpose of requiring in Baltimore City certain holders and applicants of a Class B–D–7 alcoholic beverages license to comply with certain requirements regarding a certain security plan for their premises; requiring applicants and holders of a Class B–D–7 license who offer certain entertainment to develop a security plan and submit the plan for review to certain individuals; authorizing the Commissioner of the Baltimore City Police Department to submit certain comments to the Board of Liquor License Commissioners for Baltimore City; requiring the Board to take certain actions under certain circumstances; requiring certain license holders to implement certain security plans and prohibit underage individuals on the premises; providing for a certain exception; authorizing certain license holders to employ sworn security personnel under certain circumstances; authorizing the Board immediately to suspend certain licenses under certain circumstances; requiring the Board to take certain actions if it immediately suspends a license; authorizing the Board to revoke or continue a suspension of a license under certain circumstances; requiring the Board to impose certain penalties under certain circumstances; requiring the Board to consider certain factors when setting the amount of certain penalties; requiring the Board to revoke certain licenses under certain circumstances; prohibiting the Board from considering, at least for a certain period of time, an application for a new license from the person whose license was revoked or an application for a new license for certain premises; requiring the Board to

reinstate, under certain circumstances, a license that has been suspended or revoked; defining a certain term; and generally relating to the development of security plans in Baltimore City by applicants for and holders of Class B–D–7 licenses who offer entertainment.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–203(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–203.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 489 – Senators Conway, Ferguson, Forehand, Frosh, Gladden, Kelley, Klausmeier, Madaleno, Montgomery, Pugh, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 490 – Senator Peters**

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 Finance.

**Senate Bill 491 – Senator Peters**

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 Finance.

**Senate Bill 492 – Senator Peters**

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 Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 493 – Senator Peters**

AN ACT concerning

**Prince George’s County Public Schools – Funding Accountability and Transparency Act**

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 Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 494 – Senator Edwards**

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 Budget and Taxation.

**Senate Bill 495 – Senator Edwards**

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 Budget and Taxation.

**Senate Bill 496 – Senator Brinkley**



AN ACT concerning

**Alcoholic Beverages – Brewery License – Samples and Sales**

FOR the purpose of altering the number of beer samples that a holder of a brewery license may provide to a person of legal drinking age who participates in a tour, promotional event, or other organized activity at the licensed premises; altering the limit on certain purchases of beer per person; establishing a certain limitation on selling beer under certain circumstances; altering the sample size that a holder may provide at a promotional event; altering the limit on the number of special brewery promotional event permits that a holder may be issued in a calendar year; and generally relating to brewery licenses.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–206  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 497 – Senator Glassman**

AN ACT concerning

**Vehicle Laws – Registration Classifications – Special Class G Livestock Trailer**

FOR the purpose of establishing the special Class G livestock trailer or semitrailer motor vehicle registration classification; authorizing the Motor Vehicle Administration to issue a Class G livestock trailer and semitrailer registration only to an applicant who certifies that the vehicle is used exclusively to transport livestock and for a vehicle that has a certain maximum gross weight limitation; establishing the annual registration fee for the Class G livestock trailer or semitrailer; prohibiting a Class G livestock trailer or semitrailer from being used for hire, subject to a certain exception, or from being used in any manner other than to haul livestock; defining a certain term; and generally relating to the establishment of the special Class G livestock trailer or semitrailer motor vehicle registration classification.

BY adding to  
Article – Transportation  
Section 13–929  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 498 – Senator Glassman**

AN ACT concerning

**Task Force to Review Property Tax Assessment Procedures and the  
Assessment Appeals Process**

FOR the purpose of establishing a Task Force to Review Property Tax Assessment Procedures and the Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing for the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; requiring the Task Force to conduct certain studies and make certain evaluations and recommendations; requiring that the Task Force issue a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review Property Tax Assessment Procedures and the Assessment Appeals Process.

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

**Senate Bill 499 – Senators Forehand and Robey**

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 Judicial Proceedings.

**Senate Bill 500 – Senator Getty**

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 Judicial Proceedings.

**Senate Bill 501 – Senator Dyson**

AN ACT concerning

**Election Law – Change of Primary Election Dates and Compliance with Federal MOVE Act**

FOR the purpose of altering certain primary election dates; making certain changes to the State election law to comply with the federal Military and Overseas Voter Empowerment (MOVE) Act; altering certain deadlines for the filing of certain certificates of candidacy, petitions, certificates of withdrawal, and certificates of designation of candidacy; altering the dates by which the State Board of Elections is required to certify the content and arrangement of certain ballots and deliver a copy to each local board; correcting a stylistic error; authorizing the delivery of ballot content by electronic means; and generally relating to primary and general elections and voting.

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

Section 5–302, 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 Education, Health, and Environmental Affairs.

**Senate Bill 502 – Senators Dyson, Klausmeier, and Pinsky**

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 Education, Health, and Environmental Affairs.

**Senate Bill 503 – Senator Rosapepe**

AN ACT concerning

**Foreclosure Purchaser and Tenant – Evictions – Tenant’s Right to Reclaim Personal Property**

FOR the purpose of requiring a sheriff or county official directed to evict a tenant to give notice in a certain manner to a certain purchaser and the tenant of the

scheduled date of execution of a certain warrant of restitution; establishing that the tenant has the right to reclaim any personal property left in the premises within a certain time period after the execution of the warrant of restitution; requiring the sheriff or county official to post a certain notice on the premises; authorizing the purchaser to secure the tenant's personal property in a certain manner; requiring the purchaser to allow the tenant to make reasonable arrangements to obtain and move the personal property; prohibiting the purchaser from demanding a certain fee or imposing certain conditions; requiring the tenant to pay certain moving and storage fees under certain circumstances; providing for the disposal of the tenant's personal property under certain circumstances; establishing that certain persons are not obligated to take certain actions; and generally relating to the disposition of the tenant's personal property following an eviction.

BY adding to

Article – Real Property

Section 7–105.6A

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 504 – Senator Rosapepe**

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 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 also is used to provide, in exchange for payment by the municipal corporation in which the University of Maryland, College Park operates shuttle bus service, transportation to the residents of the municipal corporation; 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 Finance.

**Senate Bill 505 – Senators Jacobs and DeGrange**

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 Finance.

**Senate Bill 506 – Senators Jacobs, Colburn, Getty, Glassman, Jennings,  
Pipkin, Reilly, Shank, Simonaire, and Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**General Assembly – Legislative Redistricting – Exclusion of Noncitizens**

FOR the purpose of requiring that the General Assembly legislative districts established following each decennial census include in the population count only those individuals residing in the district who are citizens of the United States and of Maryland; 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 4

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

**Senate Bill 507 – Senators Jacobs, Colburn, Edwards, Getty, Glassman, Jennings, Pipkin, Reilly, Shank, and Simonaire**

AN ACT concerning

**Criminal Law – Elimination of Concurrent Sentencing for Child Sexual Offenses**

FOR the purpose of establishing that a sentence imposed for a violation of a certain sexual offense in which the victim of the offense is a minor shall be consecutive to and not concurrent with any other sentence imposed for any crime based on the act establishing that violation.

BY adding to  
Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 508 – Senators Jacobs, Colburn, Edwards, Glassman, Jennings, Pipkin, Reilly, Shank, and Simonaire**

AN ACT concerning

**Criminal Law – Plea Agreements – Prohibition of Concurrent Sentences for Child Sexual Offenses**

FOR the purpose of prohibiting a plea agreement from providing for concurrent sentencing for a defendant charged with multiple counts of certain child sexual

offenses; and generally relating to plea agreements for defendants charged with child sexual offenses.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–303 through 3–308  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–602  
Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

### **Senate Bill 509 – Senator Peters**

AN ACT concerning

#### **Prince George’s County – Ethics Reforms**

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 Education, Health, and Environmental Affairs.

**Senate Bill 510 – Senator Shank**

AN ACT concerning

**Maryland Medical Assistance Program – Recovery Audits**

FOR the purpose of requiring the Department of Health and Mental Hygiene to enter into certain contracts to conduct certain recovery audits of payments made by the Maryland Medical Assistance Program; requiring a certain consultant to include in its recovery audit certain payments made by the Program; specifying requirements for certain contracts; requiring the Department to provide certain information to certain persons under certain circumstances; prohibiting certain persons from disclosing certain information; establishing a certain penalty; requiring the Department to adopt regulations that specify certain compensation; requiring the Department to return certain money to the federal government; requiring the Department to provide a copy of a certain report to the Governor, the Office of Legislative Audits, and certain committees of the General Assembly at a certain time; requiring the Department to issue a certain report to the General Assembly on or before a certain date each year; defining a certain term; and generally relating to recovery audits and the Maryland Medical Assistance Program.

BY adding to  
Article – Health – General  
Section 15–901 through 15–905 to be under the new subtitle “Subtitle 9.  
Recovery Audits”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 511 – Senator Stone**

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 Judicial Proceedings.

**Senate Bill 512 – Senators Edwards and Miller**

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 Budget and Taxation.

**Senate Bill 513 – Senator Middleton**

AN ACT concerning

**Maryland Estate Tax – Payment Deferral for Qualified Agricultural  
Property – Waiver of Payment Requirement**

FOR the purpose of authorizing the Comptroller to grant an extension to a certain deferred tax payment period if a qualified recipient has a pending application to place certain land under a permanent land conservation easement with the Maryland Agricultural Land Preservation Foundation or the Rural Legacy Board; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to estate taxes on agricultural property.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–307(e)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 514 – Senators Middleton and Kasemeyer**

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 Finance.

**Senate Bill 515 – Senators Zirkin and Miller**

AN ACT concerning

**Public Defender – Representation – Income Eligibility and Appointment by a Court**

FOR the purpose of establishing that certain individuals may be eligible for services from the Office of the Public Defender without an assessment regarding the need of the individual; establishing that the determination of eligibility for services from the Office of the Public Defender based on need applies for an individual whose assets and net annual income equal or exceed a certain amount; establishing that certain courts are prohibited from appointing an attorney through the Office of the Public Defender under certain circumstances; and generally relating to representation by the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–210 and 16–213  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 516 – Senators Forehand, Kelley, Madaleno, Ramirez, and Raskin**

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 Judicial Proceedings.

### **Senate Bill 517 – Senator Miller**

AN ACT concerning

#### **Prince George’s County – Development and Ethics Reform Act of 2011**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 518 – Senator Mathias**

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 Budget and Taxation.

**Senate Bill 519 – Senators Pipkin and Stone**

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; 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 Judicial Proceedings.

**Senate Bill 520 – Senators Pipkin and Astle**

AN ACT concerning

**Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span**

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation Authority, in collaboration with certain other agencies, to commence the

process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 521 – Senators Pipkin and Rosapepe**

AN ACT concerning

**Electricity Market – Goal of the State – Best Possible Price for Ratepayers  
Through Reregulation**

FOR the purpose of providing that, on and after a certain date, the goal of the State is to return as soon as possible to a regulated electricity market for certain customer classes that results in a reliable electricity system at the best possible price for certain ratepayers; providing that the purpose of a certain current statute that establishes customer choice, competitive retail electricity markets, and deregulation of generation of electricity remains in effect until a certain other date; requiring the Public Service Commission to develop a certain transition plan; and generally relating to the goal of the State to return to a regulated electricity market for certain customers.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–504  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 522 – Senators Robey, Astle, King, and McFadden**

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 Budget and Taxation.

**Senate Bill 523 – Senators Astle, Glassman, and Klausmeier**

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 Budget and Taxation and the Committee on Finance.

**Senate Bill 524 – Senators Astle, Glassman, and Klausmeier**

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 Finance.

**Senate Bill 525 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Centre for the Arts  
Renovation**

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 Queen Anne’s County 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 Budget and Taxation.

**Senate Bill 526 – Senator Simonaire**

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 Budget and Taxation.

**Senate Bill 527 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Automated Political Telephone Calls – Prohibition**

FOR the purpose of prohibiting a person from placing or causing to have placed an automated telephone call to a residential telephone number in Anne Arundel County that is registered on a certain do-not-call registry with the purpose of promoting a political candidate or advertising, campaigning, or soliciting donations for or against a political candidate, or relating to a political issue; altering a certain penalty provision; and generally relating to prohibitions on political telephone calls.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14-3201 and 14-3202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 528 – Senators Simonaire, Brinkley, Colburn, Getty, Glassman, Jacobs, Reilly, Shank, and Stone**

AN ACT concerning

**Health – Medical Procedures – Ultrasound Options**

FOR the purpose of requiring certain physicians, under certain circumstances, to provide a certain pregnant woman the opportunity to view a certain ultrasound image and offer to provide the woman with a certain picture before the performance or inducement of a certain medical procedure; requiring a physician to allow a certain pregnant woman to view a certain ultrasound image at no additional charge; and generally relating to ultrasound options for medical procedures.

BY adding to  
Article – Health – General  
Section 20-210  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 529 – Senators Simonaire, Getty, Jacobs, Ramirez, Raskin, Shank, and Stone**

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 Judicial Proceedings.

**Senate Bill 530 – Senators Peters, King, Manno, and Robey**

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 Judicial Proceedings.

**Senate Bill 531 – Senators Peters, Astle, Brochin, Colburn, Edwards, Garagiola, Glassman, Raskin, and Reilly**

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 Judicial Proceedings.

**Senate Bill 532 – Senators Currie and Benson**

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 Judicial Proceedings.

**Senate Bill 533 – Senators Stone, DeGrange, Jacobs, Robey, and Simonaire**

AN ACT concerning

**Criminal Procedure – Sexually Violent Offender in Need of Commitment**

FOR the purpose of creating a procedure by which a person who has been convicted of a sexually violent offense, who suffers from a certain mental abnormality or personality disorder, and who is determined to be in need of commitment to a State facility may be placed in the custody of the Secretary of Health and Mental Hygiene until a certain court determination is made; establishing that a term of extended parole supervision commences on the expiration of a certain term of commitment to a certain State facility; requiring the Commissioner of Correction of the Department of Public Safety and Correctional Services to give notice to the Attorney General before certain persons who have been convicted of certain sexually violent offenses are released from confinement; requiring the Attorney General to determine if certain persons meet the criteria of sexually violent offenders in need of commitment; establishing certain procedures for determining whether persons are sexually violent offenders in need of commitment; requiring that a review committee of prosecutors and a multidisciplinary team be formed to make recommendations concerning the identification of sexually violent offenders in need of commitment; making the Commissioner and certain other individuals immune from civil liability for acts performed in good faith in carrying out this Act; specifying the criteria for finding a person to be a sexually violent offender in need of commitment; authorizing the Attorney General to petition the circuit court to find probable cause that a certain person is a sexually violent offender in need of commitment; authorizing a court to order a certain person taken into custody if the court determines certain probable cause exists; authorizing a court to conduct a trial under certain circumstances to determine if a certain person is a sexually violent offender in need of commitment; allowing a certain person certain rights at trial; requiring that the standard of proof at a trial to determine whether a person is a sexually violent offender in need of commitment be that of proof beyond a reasonable doubt; requiring that a person who is found to be a sexually violent offender in need of commitment be placed in the custody of the Secretary of Health and Mental Hygiene for control, care, and treatment at a State facility until the mental abnormality or personality disorder of the person has so changed that the person is not likely to engage in a certain act if released; requiring that a certain committed person in a State facility be subject to an annual mental examination and an annual status review hearing; authorizing the court to determine at an annual status review hearing that probable cause exists to believe that the committed person is not likely to engage in certain acts if released; authorizing that a release hearing be held under certain circumstances; establishing the procedures for certain hearings; requiring that the court release a committed person under certain circumstances; providing that this Act has no effect on the operation of certain provisions of the Code; providing for a delayed effective date; defining certain terms; and generally relating to sexually violent offenders in need of commitment.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure  
Section 11–701(a), (j), and (n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(i) and 11–723(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(a), (c), and (k) and 10–101(e) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health – General  
Section 10–636 through 10–646 to be under the new part “Part VI. Sexually  
Violent Offender in Need of Commitment”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 534 – Senators Shank, Edwards, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 535 – Carroll County Senators**

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 Education, Health, and Environmental Affairs.

**Senate Bill 536 – Senator Kittleman**

AN ACT concerning

**Public Ethics Laws – Meals – Regulated Lobbyist Reporting Requirements**

FOR the purpose of requiring a regulated lobbyist that invites certain members of the General Assembly to a meal during the legislative session to file a certain report with the State Ethics Commission by a certain date each year disclosing the names of certain members of the General Assembly who consumed food and beverages at the meal; providing for the contents of the report; and generally relating to regulated lobbyist reporting requirements.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–102(a) and (w) and 15–708  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–704  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 537 – Senator Kittleman**

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 Finance.

**Senate Bill 538 – Senators Colburn and Pipkin**

AN ACT concerning

**Natural Resources – Oyster Sanctuaries – Designation**

FOR the purpose of prohibiting the Department of Natural Resources from designating more than a certain percent of the available oyster habitat in the waters of the State as oyster sanctuaries; and generally relating to oyster sanctuaries.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1006.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 539 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

**Senate Bill 540 – Senator Colburn**

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 Budget and Taxation.

**Senate Bill 541 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 542 – Senator Colburn**

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 Education, Health, and Environmental Affairs.

**Senate Bill 543 – Senators Young, Kelley, and Montgomery**

AN ACT concerning

**Maryland Transportation Authority – Supplemental Tolls – Highway User Revenues for Municipalities**

FOR the purpose of requiring the Maryland Transportation Authority to charge certain additional tolls for the use of certain transportation facilities projects; requiring that the tolls collected under this Act be distributed to the Gasoline and Motor Vehicle Revenue account to be used to provide certain highway user revenues to municipalities and to be disbursed to municipalities in accordance with certain provisions of law; providing for the redirection of certain toll revenues if certain highway user revenues are equal to, or exceed, highway user revenues received by municipalities for a certain fiscal year; making a conforming change; and generally relating to tolls for transportation facilities projects and highway user revenues.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312 and 8–402(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 544 – Senators Young, Astle, Benson, Ferguson, Montgomery, Pinsky, and Rosapepe**

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 Education, Health, and Environmental Affairs.

**Senate Bill 545 – Senators Young, Colburn, Garagiola, and Glassman**

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 Education, Health, and Environmental Affairs.

**Senate Bill 546 – Senators Young, Astle, Benson, Ferguson, Manno, Montgomery, Pinsky, and Rosapepe**

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 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 Education, Health, and Environmental Affairs.

**Senate Bill 547 – Senators King, Garagiola, Manno, Mathias, Middleton, Montgomery, Ramirez, and Robey**

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 Finance.

**Senate Bill 548 – Senators King, Middleton, Montgomery, and Young**

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 Judicial Proceedings.

**Senate Bill 549 – Senators King, Forehand, Garagiola, Montgomery, Peters,  
Raskin, and Robey**

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 Education, Health, and Environmental Affairs.

**Senate Bill 550 – Senators Kelley, Astle, Benson, King, Klausmeier, Madaleno, and Montgomery**

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 Finance.

**Senate Bill 551 – Senators Kelley, Benson, Jones–Rodwell, Madaleno, Manno, Montgomery, Pugh, and Raskin**

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 Finance.

**Senate Bill 552 – Senators Madaleno, Forehand, and Raskin**

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 Education, Health, and Environmental Affairs.

**Senate Bill 553 – Senator Madaleno**

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 Budget and Taxation.

**Senate Bill 554 – Senators Madaleno, Forehand, Frosh, Garagiola, King, and Raskin**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Montgomery County – Warner Manor**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to allow the matching fund requirement for the Warner Manor grant to include real property, in kind contributions, or funds expended on or after a certain date; 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 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(AY)

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

**Senate Bill 555 – Senators Pugh, Kelley, Muse, and Rosapepe**

AN ACT concerning

**Minority Business Enterprise Participation – Disclosure and Termination  
Extension**

FOR the purpose of requiring certain regulations adopted by the Board of Public Works to provide for a written public explanation of a determination by a unit of the availability for certain purposes of certified minority business enterprises; altering the methodology to determine the expected degree of minority business participation in a prime procurement contract by requiring certain considerations with respect to the prime procurement contract; requiring the regulations 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 Education, Health, and Environmental Affairs.

**Senate Bill 556 – Senators Pugh, Benson, Forehand, Jacobs, Jones–Rodwell, Kelley, King, Klausmeier, and Montgomery**

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 Finance.

**Senate Bill 557 – Senators Pugh, Garagiola, Montgomery, Rosapepe, and Stone**

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 Finance.

**Senate Bill 558 – Senators Pugh, Jones–Rodwell, McFadden, Peters, Ramirez, and Rosapepe**

AN ACT concerning

**Minority Business Enterprise Program – Amendments to MBE Participation Schedule and Termination Extension**

FOR the purpose of requiring a certain bidder or offeror to notify a certain unit of State government at a certain time if, after submission of a bid or proposal and before the execution of a certain contract, the bidder or offeror determines that a certain minority business enterprise identified in a certain MBE participation schedule has become or will become unavailable; authorizing a certain bidder or offeror to submit a written request to a unit to amend a certain MBE participation schedule under certain circumstances; requiring a certain written request to include certain information; prohibiting an MBE participation schedule from being amended unless the amendment is approved by certain persons; prohibiting an MBE participation schedule from being amended after the date of contract execution unless approved by a certain person and by contract amendment; defining a certain term; 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 in procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–302 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 Education, Health, and Environmental Affairs.

**Senate Bill 559 – Senators Pugh, Jones–Rodwell, and Montgomery**

AN ACT concerning

**Environment – Radiology Safety – Regulations**

FOR the purpose of requiring the Department of the Environment to adopt regulations that incorporate by reference certain methodologies for radiology safety on or before a certain date; and generally relating to radiology safety in the State.

BY adding to  
Article – Environment  
Section 8–307  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 560 – Senators Pugh, Benson, Ferguson, Forehand, King, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Raskin, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 561 – Senator Pugh**

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 Finance.

### **Senate Bill 562 – Senator Pugh**

AN ACT concerning

#### **Department of Health and Mental Hygiene – Required Certification of Recovery Homes**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt regulations for the certification of recovery homes in the State; requiring the regulations to include certain standards, requirements, fees, and procedures; authorizing the regulations to include certain requirements; requiring the certification fee set by the Department to cover certain departmental costs; prohibiting a person from operating a recovery home without certain certification; prohibiting certain programs from referring program participants to a recovery home that is not certified; requiring applicants for certification as a recovery home to submit an application on the form the Department requires; requiring the Department to issue a certificate to an applicant that meets certain certification requirements; requiring the Department to give an applicant an opportunity for a hearing under certain circumstances; providing that a person who operates a recovery home in violation of this Act is subject to a certain penalty; and generally relating to the certification of recovery homes.

BY adding to  
Article – Health – General  
Section 8–406  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 563 – Senator Pugh**

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 Finance.

**Senate Bill 564 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 565 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 566 – Senator Pugh**

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 Budget and Taxation.

**Senate Bill 567 – Senator Pugh**

AN ACT concerning

**Health – Guidelines for Providing Mental Health Treatment to Individuals with Co–Occurring Disorders**

FOR the purpose of requiring the Director of Mental Hygiene to develop certain guidelines for the provision of mental health treatment to individuals with co–occurring disorders; and generally relating to guidelines for mental health treatment.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 568 – Senators Pugh and Kittleman**

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 Finance.

**Senate Bill 569 – Senator Mathias**

**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 Education, Health, and Environmental Affairs.

### **Senate Bill 570 – Senator Pugh**

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 Judicial Proceedings.

**Senate Bill 571 – Senator Pugh**

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 Finance.

**Senate Bill 572 – Senators Muse, Benson, Rosapepe, and Young**

AN ACT concerning

**Raymond Scott Brown II Vehicle Towing Act**

FOR the purpose of providing for the statewide application of certain provisions of law governing the towing or removal of vehicles from parking lots; requiring a person who undertakes the towing or removal of vehicles from parking lots to provide certain notice to certain police departments; altering the time frame within which a tower is required to provide certain notice to certain police departments after towing or removing a vehicle from a parking lot; altering the information that a tower is required to provide to certain police departments after towing or removing a vehicle from a parking lot; establishing certain methods by which a tower may provide certain notice to certain police departments; and generally relating to the towing or removal of vehicles from parking lots.

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 21-10A-01 and 21-10A-04  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21-10A-02, 21-10A-03, 21-10A-05, and 21-10A-06  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 573 – Senators Muse and Currie**

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 Budget and Taxation.

**Senate Bill 574 – Senators Muse, Raskin, and Benson**

AN ACT concerning

**Department of Health and Mental Hygiene – Biennial Cancer Study –  
Environmental Causes**

FOR the purpose of requiring the Biennial Cancer Study conducted by the Department of Health and Mental Hygiene to measure possible environmental causes of certain cancers, including certain chemical agents and toxins; and generally relating to environmental causes of cancer and the Biennial Cancer Study.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13-1101(a) and (t), 13-1103(a), (b), and (c), and 13-1104

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

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1103(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 575 – Senators Muse, Benson, Currie, Madaleno, Rosapepe, and Young**

AN ACT concerning

**Alexander L. Booker Child Protection Construction Site Safety Act**

FOR the purpose of requiring that certain signs that indicate the dangers that exist on a construction site be prominently displayed at the construction site at all times; requiring the signs to include certain information; requiring a construction site to have certain barricades enclosing certain dangers on a construction site under certain circumstances; requiring the barricades to be equipped with certain warning devices and signs; requiring certain construction equipment to be equipped with certain safety equipment; and generally relating to construction site safety.

BY adding to  
Article – Labor and Employment  
Section 5–609  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 576 – Senators Muse and Miller**

AN ACT concerning

**Prince George’s County Board of Education – Student Member – Voting Rights**

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 2010 Supplement)

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

**Senate Bill 577 – Senators Muse and Benson**

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 Education, Health, and Environmental Affairs.

**Senate Bill 578 – Senators Muse, Benson, Colburn, Currie, Edwards, Forehand, Montgomery, Pugh, Raskin, Rosapepe, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 579 – Senator Rosapepe**

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 Finance.

### **Senate Bill 580 – Senator Edwards**

## EMERGENCY BILL

AN ACT concerning

**Allegany County – Alcoholic Beverages – Music Promoter 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 held by a music promoter; 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 donate a certain license fee to a certain nonprofit charitable organization; requiring the Board 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 Education, Health, and Environmental Affairs.

**Senate Bill 581 – Senator Edwards**

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 Education, Health, and Environmental Affairs.

**Senate Bill 582 – Senators Montgomery, Raskin, Forehand, Madaleno, Manno, and Rosapepe**

AN ACT concerning

**Agriculture – Pesticides – Regulation of Atrazine Study**

FOR the purpose of requiring the Department of Agriculture, in consultation with certain stakeholders, to study the feasibility of prohibiting the use, distribution, or sale of atrazine in the State; requiring the Department to report its findings to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to a study of the regulation of atrazine.

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

**Senate Bill 583 – Senator Shank**

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 Judicial Proceedings.

**Senate Bill 584 – Senator Jacobs**

AN ACT concerning

**Public Health – Cord Blood Transplant Program Support Fund**

FOR the purpose of establishing the Cord Blood Transplant Program Support Fund; providing for the purpose of the Fund; requiring the Department of Health and Mental Hygiene 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 Program Support Fund.

BY adding to

Article – Health – General

Section 13–2901 through 13–2903 to be under the new subtitle “Subtitle 29.  
Cord Blood Transplant Program Support Fund”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 585 – Senators Stone, DeGrange, Jacobs, and Shank**

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 Education, Health, and Environmental Affairs.

**Senate Bill 586 – Senators Ramirez and Zirkin**

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 Judicial Proceedings.

**Senate Bill 587 – Senator Ramirez**

AN ACT concerning

**Protective Order Violations – Mandatory Mental Health Evaluation**

FOR the purpose of requiring the court to order a person charged with a violation of an interim, a temporary, or a final protective order to undergo a mental health evaluation; and generally relating to protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–509  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 588 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Civic Center Design Drawings**

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 Mount Rainier for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 589 – Senator Ramirez**

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 Budget and Taxation.

**Senate Bill 590 – Senator Ramirez**

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 Budget and Taxation.

**Senate Bill 591 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Battle of Bladensburg  
Visitor Center and Monument**

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 Anacostia Trails Heritage Area, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 592 – Senators Raskin, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Ferguson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Shank, Stone, Young, and Zirkin**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 593 – Senators Raskin and Jacobs**

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 Judicial Proceedings.

**Senate Bill 594 – Senators Raskin, Forehand, Madaleno, Montgomery, and Pinsky**

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 Judicial Proceedings.

**Senate Bill 595 – Senator Raskin**

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 Judicial Proceedings.

**Senate Bill 596 – Senators Raskin, Benson, and Stone**

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 Judicial Proceedings.

**Senate Bill 597 – Senators Raskin and Forehand**

AN ACT concerning

**Vehicle Laws – Manufacturer, Distributor, or Factory Branch – Dealer  
Benefits and Web Sites**

FOR the purpose of prohibiting a certain manufacturer, distributor, or factory branch from taking certain actions against a certain dealer because the dealer includes a certain Internet Web site address on advertising; authorizing a certain dealer to require a certain Internet Web site address to be shown on the manufacturer's, distributor's, or factory branch's Web site in a certain manner under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from refusing to offer to a dealer in the State certain benefit programs except under certain circumstances; and generally relating to vehicle manufacturers, distributors, and factory branches.

BY adding to  
Article – Transportation  
Section 15–207(k) and (l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 598 – Senators Raskin, Forehand, Frosh, Garagiola, King,  
Madaleno, and Manno**

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 Budget and Taxation.

**Senate Bill 599 – Senators Raskin, Frosh, Manno, Miller, Ramirez, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 600 – Senators Raskin, Kelley, Madaleno, and Stone**

AN ACT concerning

**Labor and Employment – Abusive Work Environments – Employee Remedies**

FOR the purpose of prohibiting an employer or employee of an employer from subjecting an employee to an abusive work environment that includes certain abusive conduct that causes certain harm to the employee; stating that an employer or employee is individually liable for a violation of this Act; stating that a certain employer is vicariously liable for a violation of this Act; prohibiting an employer from retaliating against an employee who opposes or resists abusive conduct in the employee’s work environment or takes other

action regarding a violation of this Act; authorizing an employee to file an action for a violation of this Act; requiring that a certain action be filed in a certain circuit court and within a certain time period after the last act that constitutes the alleged violation; specifying certain affirmative defenses for an employer or an employee against whom a certain action has been filed; authorizing certain remedies for violations of this Act; prohibiting a circuit court from ordering punitive damages under certain circumstances; limiting the liability of an employer for emotional distress to a certain dollar amount under certain circumstances; requiring an employee who has received workers' compensation under a certain provision of law to repay the compensation under certain circumstances; stating the intent of the General Assembly; providing for the application of this Act; defining certain terms; and generally relating to abusive work environments.

BY adding to

Article – Labor and Employment

Section 3–1101 through 3–1104 to be under the new subtitle “Subtitle 11.  
Abusive Work Environments”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 601 – Senator Raskin**

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 Judicial Proceedings.

**Senate Bill 602 – Senators Raskin, Forehand, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Robey, and Rosapepe**

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 Education, Health, and Environmental Affairs and the Committee on Finance.

### **Senate Bill 603 – Senator Raskin**

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 Finance.

**Senate Bill 604 – Senators Raskin and Robey**

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 Finance.

**Senate Bill 605 – Senators Raskin and Kittleman**

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 Education, Health, and Environmental Affairs.

**Senate Bill 606 – Senator Conway**

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 Judicial Proceedings.

**Senate Bill 607 – Senator Conway**

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 Education, Health, and Environmental Affairs.

**Senate Bill 608 – Senators Ferguson, Currie, Pugh, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 609 – Senators Ferguson, Benson, Colburn, Conway, Currie, Kelley, King, McFadden, Montgomery, Pugh, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 610 – Senators Ferguson, Benson, Currie, King, McFadden, Pugh, and Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 611 – Senators Jones–Rodwell, Benson, and Pugh**

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 Education, Health, and Environmental Affairs.

**Senate Bill 612 – Senators Jones–Rodwell, Benson, and Pugh**

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 Education, Health, and Environmental Affairs.

**Senate Bill 613 – Senators Jones–Rodwell and Pugh**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 614 – Senator Jones–Rodwell**

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 Education, Health, and Environmental Affairs.

**Senate Bill 615 – Senator Jones–Rodwell**

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 Budget and Taxation.

**Senate Bill 616 – Senators Jones–Rodwell and Pugh**

AN ACT concerning

**Equal Opportunities Employment Act**

FOR the purpose of providing that, if a capital project receives more than a certain amount in federal or State funds, the recipients of the funds and their contractors and subcontractors shall award contracts to business concerns that provide opportunities for certain low–income individuals; requiring the Department of General Services to adopt certain regulations; stating the intent of the General Assembly; defining certain terms; and generally relating to requirements for recipients of certain State funds for certain capital projects.

BY adding to

Article – State Finance and Procurement  
Section 3–610  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 617 – Senator Manno**

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 Education, Health, and Environmental Affairs.

**Senate Bill 618 – Senator Manno**

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 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 Budget and Taxation.

**Senate Bill 619 – Senators Manno, Benson, Pinsky, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**Public Service Commission – Telephone Companies – Line Assessment**

FOR the purpose of requiring the Public Service Commission to require a telephone company to conduct an assessment of certain lines at certain intervals 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 Finance.

**Senate Bill 620 – Senators Manno, Forehand, Montgomery, Pinsky, and Ramirez**

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 Judicial Proceedings.

**Senate Bill 621 – Senators DeGrange, Jacobs, Shank, and Stone**

AN ACT concerning

**Division of Correction and Division of Parole and Probation – Reports and Records – Inmate’s Place of Birth**

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 place of birth 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 is foreign born; 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 is foreign born; 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 Judicial Proceedings.

**Senate Bill 622 – Senators Madaleno, Frosh, Kelley, and Rosapepe**

AN ACT concerning

**Nonresidential Electricity and Gas – Energy Benchmarking and Disclosure –  
State Buildings**

FOR the purpose of requiring each gas company and electric company to maintain, in a certain format, gas and electric consumption records for nonresidential retail gas and electric customers; requiring each gas company and electric company to upload to the EPA Portfolio Manager certain gas or electric consumption records after receiving authorization from an owner or operator of a nonresidential building; requiring the Department of General Services to benchmark certain State buildings at least once each year, beginning in a certain year, using the EPA Portfolio Manager; requiring the Department to compile certain benchmarking information and submit the information to the Maryland Energy Administration; requiring that, on or before a certain date, and each year thereafter, an owner or operator of certain State buildings disclose certain energy benchmarking information to certain lessees; requiring that, on or after a certain date, an owner or operator of certain State buildings disclose certain energy benchmarking information to certain persons; requiring the Administration to include certain information about certain State buildings in a certain report, unless the Administration makes the information available to the public in some other manner; defining certain terms; and generally relating to the disclosure of energy usage information for State buildings.

BY adding to

Article – Public Utilities

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 4–8A–01 through 4–8A–03 to be under the new subtitle “Subtitle 8A.  
Energy Benchmarking and Disclosure”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–20B–12  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 623 – Senators Madaleno and Glassman**

AN ACT concerning

**Maryland Department of Transportation – Transit Review and Evaluation**

FOR the purpose of requiring the Maryland Department of Transportation to review and evaluate transit priority treatments, best practices, and certain transit thresholds, and to identify certain priority treatment corridors; requiring the Secretary of Transportation to submit a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a transit study by the Maryland Department of Transportation.

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

**Senate Bill 624 – Senators Madaleno, Forehand, Frosh, Garagiola, King, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – MacDonald Knolls Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$275,000, the proceeds to be used as a grant to the Board of Directors of CHI Centers, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 625 – Senators Glassman, Colburn, Forehand, and Jacobs**

AN ACT concerning

**State Payments of Public School Construction Costs – Remittance of  
Reimbursement to County**

FOR the purpose of requiring the State, when the State provides reimbursement of forward-funded public school construction or public school capital improvement projects, to remit the funds to the county government for certain payments; prohibiting the State from remitting reimbursement funds to the county board of education; and generally relating to State payments of public school construction and capital improvement costs.

BY adding to

Article – Education

Section 5–301(h–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 626 – Senators Glassman, Colburn, and Forehand**

AN ACT concerning

**Public School Construction Funding Reform Act of 2011**

FOR the purpose of repealing the Interagency Committee on School Construction; altering the authority of the State Superintendent of Schools to approve certain public school construction projects; altering the requirements under which certain entities may hold title to certain property; altering the definition of alternative financing methods; requiring a county governing body and county board to comply with all procurement laws; repealing the authority of the Board of Public Works to promulgate certain regulations; requiring public school construction funds allocated in the annual budget to be distributed to local boards using a certain formula; requiring the county boards to submit a certain report by certain dates; requiring certain distributions to revert by a certain date; requiring the State Department of Education to adopt certain regulations; altering the membership of the Maryland Green Building Council to include the State Superintendent; exempting certain authorizations from Board of Public Works approval; making certain conforming changes; providing for the application of this Act; and generally relating to public school construction.

BY repealing

Article – Education

Section 5–302(a), (b), (c), (e), and (f) and 5–303

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing

Article – State Finance and Procurement  
Section 5–7B–07(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 3.05(a)(4)(x)5.A. and 14.05(f)(5)(iv)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 2–303(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 2–303(f), 4–114, 4–126, 4–205(l)(2), 5–201(a) and (c), 5–206(f)(1), 5–301,  
5–301.1(a) through (c) and (f), 5–302(d), 5–307(a), and 5–312(d) through  
(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 4–809(a) and 5–7B–04(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 4–809(b)(9), 5–7B–04(c)(1), 8–112(c)(3), and 8–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 627 – Senator Miller**

AN ACT concerning

#### **Prince George’s County – Development and Ethics Reform Act of 2011**

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; limiting the review by the district council of actions taken by the planning board on certain site development plans to certain circumstances; prohibiting a person from entering into any agreement for contingent compensation; prohibiting certain elected county officials and their employees and agents from recommending, suggesting, or proposing to any applicant for development approval the inclusion of any individual, corporation, or other entity in the applicant's project; prohibiting the county council, the district council, and any council member from conditioning the approval of certain development applications on certain requirements; providing for the construction of a certain provision of this Act; and generally relating to development and ethics reform 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, 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 Education, Health, and Environmental Affairs.

### **Senate Bill 628 – Senator Miller**

AN ACT concerning

**State Health and Retirement Benefits – Public Employees and Retirees**

FOR the purpose of altering the eligibility requirements for certain individuals to receive health benefits under the State Employee and Retiree Health and Welfare Benefits Program; requiring that on or before a certain date the State discontinue a certain prescription drug benefit plan available to certain retirees; requiring certain local employers to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to establish a certain local contribution rate in a certain manner for certain fiscal years; providing for the manner of payment by certain local employers for certain employer contributions; requiring certain counties to make certain payments in certain fiscal years; requiring the Comptroller to exercise the right of setoff against any money due or becoming due to certain local employers or counties under certain circumstances; requiring the Board of Trustees of the State Retirement and Pension System to establish a certain local contribution rate for certain local employees of certain local employers who elect to participate in a certain cash balance option; establishing a certain sustainable pension selection for certain members of the Employees' Pension System or Teachers' Pension System; providing for the member contribution rate and benefits for certain members of the Employees' Pension System and the Teachers' Pension System under a certain sustainable pension selection option; requiring certain individuals participating in a certain sustainable pension selection option to make a certain one-time irrevocable selection on or before a certain date; requiring the Board of Trustees of the State Retirement and Pension System to establish a certain cash balance plan conforming to certain provisions on or before a certain date; requiring the State to pay a certain contribution rate for certain members of a certain cash balance plan; altering certain age and service eligibility requirements that certain members of the Employees' Pension System or Teachers' Pension System must satisfy to receive a normal service retirement allowance or an early service retirement allowance; altering a certain amount of interest certain retirees of the State Police Retirement System or Law Enforcement Officers' Pension System earn on certain Deferred Retirement Option Program accounts; altering certain vesting provisions for certain members of the State Retirement and Pension System; providing that on or after a certain date, certain retirees of the State Retirement and Pension System shall receive a certain cost-of-living adjustment calculated in a certain manner; altering certain State education funding for certain fiscal years; requiring the Governor to include certain additional funds in the budget bill for certain fiscal years for the State Retirement and Pension System; requiring that certain additional funds included in the budget bill for certain fiscal years be funded in a certain manner; defining certain terms; and generally relating to certain State health and retirement benefits for certain public employees and retirees.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions



Section 2-508, 2-509, 2-509.1, 20-101(j-1), 21-304(a) and (b), 21-308(a)(1) and (d)(1), 23-101, 23-212, 23-217, 23-221, 23-401, 23-402, 24-401.1(h)(2), 26-401.1(h)(2), 29-302(b), 29-303(b), 29-410(a), and 29-425(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 20-101(j-1) and (pp-1), 21-304(a-1), 21-304.1, 21-309.1, 23-101; 23-225 through 23-229 to be under the new part “Part IV. Sustainable Pension Selection”; 29-302(b-1), 29-303(b-1); and 29-430 through 29-432 to be under the new part “Part VII. Three/One Percent Compound Adjustment”

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 repealing and reenacting, with amendments,

Article – Education

Section 5-202(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 629 – Senators Pipkin and Brinkley**

AN ACT concerning

#### **Teachers’ Retirement and Pension Systems – Local Employer Contributions**

FOR the purpose of providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a

certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State Board of Education and the Maryland Higher Education Commission to submit certain information to the Board of Trustees by a certain date; defining certain terms; and generally relating to the payment of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 630 – Senator Pipkin**

AN ACT concerning

#### **Election Law – Petition Signatures**

FOR the purpose of repealing provisions of law that require an individual to sign the individual's name on a petition in a certain manner; providing that the petition signature of an individual shall be validated and counted if the identity of the individual reasonably can be determined in accordance with certain requirements; clarifying a certain provision of law relating to the residence of a petition signer; prohibiting an election authority from invalidating a petition signature under certain circumstances; requiring an individual's name on a petition to match exactly the individual's surname of registration; and generally relating to petition signature requirements.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–203  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **Senate Bill 631 – Senators Pipkin and Brinkley**

AN ACT concerning

**Budget – Reductions of Appropriations**

FOR the purpose of altering the maximum reduction that the Governor can make to an appropriation in the State budget; requiring the Governor to present proposed reductions to the budget committees of the General Assembly within a certain period of time before seeking approval of the Board of Public Works; and generally relating to the State budget and reductions of appropriations.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–213  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 632 – Senators Pipkin and Brinkley**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**State Budget**

FOR the purpose of proposing an amendment to the Maryland Constitution authorizing the General Assembly to increase or add Executive Department items in the budget bill, subject to a certain limitation; providing for the veto of certain budget bill items; providing for the reversion to original appropriations of certain vetoed items in the budget bill; providing that certain vetoed items in the budget bill shall be void; authorizing the President of the Senate and the Speaker of the House of Delegates to convene in extraordinary session to consider whether to override a vetoed item in the budget bill; authorizing the General Assembly to override budget bill item vetoes; establishing the manner in which and the time at which budget bill items become law; clarifying language; 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 II – Executive Department  
Section 17

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 14 and 52(6)

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

**Senate Bill 633 – Senators Pipkin and Brinkley**

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 Budget and Taxation.

**Senate Bill 634 – Senator Frosh**

AN ACT concerning

**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 Education, Health, and Environmental Affairs.

### **Senate Bill 635 – Senator Frosh**

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 Education, Health, and Environmental Affairs.

**Senate Bill 636 – Senator Gladden**

AN ACT concerning

**Probation – Probation Work Readiness Pilot Program**

FOR the purpose of establishing the Probation Work Readiness Pilot Program; limiting the application of this Act to certain counties; specifying the purpose of the Program; requiring the Department of Public Safety and Correctional Services, in consultation with the Chief Judge of the Court of Appeals and the circuit administrative judges of certain judicial circuits, to develop certain regulations; authorizing a court to order a defendant to participate in the Program as a condition of probation; providing that the violation of a court order to participate in the Program is grounds for violation of probation; requiring the Chief Judge of the Court of Appeals, the circuit administrative judges of certain judicial circuits, and the Department to submit a certain report on the Program; making the Program subject to the availability of certain funds; providing that the abrogation of this Act does not terminate the obligation of a defendant to comply with an order entered by a court under this Act on or before a certain date; providing for the termination of this Act; and generally relating to the Probation Work Readiness Pilot Program.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1801 through 3–1803 to be under the new subtitle “Subtitle 18.  
Probation Work Readiness Pilot Program”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 637 – Senators Benson, Frosh, Gladden, Madaleno, Manno,  
Montgomery, Raskin, Rosapepe, and Young**

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 Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 638 – Senators Benson, Currie, Jones–Rodwell, Kelley, McFadden, Pugh, and Rosapepe**

AN ACT concerning

**Video Lottery Terminal Applicants and Licensees – Minority Business Participation – Modifications and Sunset Extension**

FOR the purpose of adding maintenance and ongoing service delivery to the requirements that certain applicants or licensees for video lottery operations must meet regarding minority business participation under certain circumstances; extending a certain termination date for certain provisions of law relating to minority participation in video lottery facility operations; providing a termination date for certain monitoring, reporting, and other duties of the State Lottery Commission and the Governor’s Office of Minority Affairs; and generally relating to minority business participation requirements and video lottery operation licenses.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–10  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 639 – Senators Benson, Astle, Colburn, Madaleno, Montgomery, Raskin, Shank, and Stone**

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 Education, Health, and Environmental Affairs.

**Senate Bill 640 – Senator Benson**

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 Budget and Taxation.

**Senate Bill 641 – Senator Benson**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 642 – Senator Gladden**

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 Judicial Proceedings.

### **Senate Bill 643 – Senators Gladden and Raskin**

AN ACT concerning

**Human Relations – Housing Discrimination – Source of Income**

FOR the purpose of altering 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; 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 Judicial Proceedings.

**Senate Bill 644 – Senators Ferguson and Madaleno**

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 Education, Health, and Environmental Affairs.

**Senate Bill 645 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 646 – Senators Ramirez, Garagiola, Klausmeier, Madaleno, Montgomery, Stone, and Young**

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 Budget and Taxation.

**Senate Bill 647 – Senator Ramirez**

AN ACT concerning

**Real Property – Age 55 and Older – Residential Leases**

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 Judicial Proceedings.

**Senate Bill 648 – Senators Ramirez and Montgomery**

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 Finance.

**Senate Bill 649 – Senators Ramirez, Ferguson, Montgomery, and Rosapepe**

AN ACT concerning

**Real Property – Dwellings in Communities for Individuals Age 55 or Older –  
Air-Conditioning Systems**

FOR the purpose of requiring certain residential dwelling structures offered for lease to individuals of a certain age and constructed or improved on or after a certain date with money received from the State on or after a certain date to be equipped with an air-conditioning system meeting certain requirements; requiring air-conditioning systems required under this Act to be in compliance with certain codes; and generally relating to air-conditioning systems in residential dwelling structures in certain communities.

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 Education, Health, and Environmental Affairs.

**Senate Bill 650 – Senators Ramirez, Ferguson, King, Madaleno, Montgomery, and Rosapepe**

AN ACT concerning

**Peace Orders – Surrender of Firearms**

FOR the purpose of authorizing a court issuing a temporary peace order to order the respondent to surrender to law enforcement authorities and to refrain from possessing certain firearms for a certain period of time under certain circumstances; requiring a court issuing a final peace order to order the respondent to surrender to law enforcement authorities and to refrain from possessing certain firearms for a certain period of time under certain circumstances; requiring a law enforcement officer to provide certain information to a respondent when a firearm is surrendered and to transport and store the firearm in a certain manner; providing for the retaking of surrendered firearms by the respondent except under certain circumstances; authorizing a respondent to transport a firearm under certain circumstances; establishing a certain penalty for failure to surrender a firearm or possession of a firearm under certain circumstances; and generally relating to peace orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1504(a), 3–1505, and 3–1508(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–1505.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–505(a)(1) and (2)(viii), 4–506(f), 4–506.1, and 4–509(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 651 – Senators Ramirez, Benson, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Mathias, Montgomery, Peters, Raskin, Stone, and Young**



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 Judicial Proceedings.

**Senate Bill 652 – Senator Ramirez**

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 Judicial Proceedings.

**Senate Bill 653 – Senators Forehand, King, Montgomery, and Raskin**

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 Judicial Proceedings.

**Senate Bill 654 – Senators Forehand, Manno, Madaleno, and Montgomery**

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 Budget and Taxation.

**Senate Bill 655 – Senators Pinsky, Conway, Frosh, Manno, Montgomery, and Young**

AN ACT concerning

**Natural Resources – Commercial Fishing Violations – Enhanced Penalties**

FOR the purpose of establishing certain enhanced penalties for a person who commits a certain separate commercial fisheries violation while the person’s commercial fishing license or authorization is suspended or revoked or who engages in commercial fishing activities without an appropriate license or authorization; requiring that certain fines imposed under this Act be paid into the Fisheries Research and Development Fund; clarifying certain commercial fishing violations; and generally relating to enhanced penalties for certain commercial fishing violations.

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 4–708 and 4–1202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 4–1201(a) and (b)

Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article – Natural Resources  
Section 4–1201(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 656 – Senator Kelley**

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 Finance.

**Senate Bill 657 – Senators Pinsky, Forehand, Jones–Rodwell, King, Madaleno, Manno, Montgomery, and Raskin**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 658 – Senators Kelley and Miller**

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 Finance.

### **Senate Bill 659 – Senator Kittleman**

AN ACT concerning

#### **Procurement – Prevailing Wage Rate Law – Repeal**

FOR the purpose of repealing provisions of law regarding prevailing wage rates for public work contracts; repealing provisions limiting the application of the prevailing wage rates to a public work contract above a certain amount or a part of a public work contract that is required to comply with the prevailing wage rate determined by the United States Secretary of Labor; repealing the

provisions of law regarding the Advisory Council on Prevailing Wage Rates in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation; repealing the provision of law that requires a contractor or subcontractor under a public work contract to employ only certain workers and apprentices; repealing the provision of law that prohibits a contractor or subcontractor under a public work contract from employing certain helpers and trainees; repealing the provision of law that authorizes a contractor or subcontractor under a public work contract to refuse to employ a certain worker that is a resident of another state under certain circumstances; repealing the requirement that the Commissioner of Labor and Industry adopt prevailing wage rates for straight time and overtime for each classification of worker engaged in work of the same or similar character; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross-references and terminology rendered incorrect by this Act; and generally relating to repeal of the prevailing wage rate law.

BY repealing

Article – State Finance and Procurement

Section 17–201 through 17–205, 17–208 through 17–216, and 17–219 through 17–226 and the subtitle “Subtitle 2. Prevailing Wage Rates – Public Work Contracts”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 660 – Senator Kittleman**

AN ACT concerning

#### **Labor and Employment – Right to Work**

FOR the purpose of prohibiting an employer from refusing to employ or continue employing an individual based on membership or nonmembership in a labor organization; prohibiting an employer from requiring an individual to refrain from joining or from requiring an individual to become a member of a labor organization; prohibiting an employer from requiring an individual to pay certain charges to a labor organization; providing a civil cause of action for an individual who is denied employment, required to refrain from joining or required to become a member of a labor organization, or required to pay dues, fees, or other charges to a labor organization in violation of this Act; authorizing the recovery of certain damages and costs; authorizing the Attorney General to bring a certain civil action; providing that certain provisions of this Act do not affect certain remedies or rights; establishing the purpose of this Act; defining the term “employer” for purposes of this Act; 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 adding to

Article – Labor and Employment

Section 4–701 through 4–706 to be under the new subtitle “Subtitle 7. Right to Work”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 661 – Senator Kittleman**

AN ACT concerning

#### **Procurement – Required Clauses – Project Labor Agreement Prohibition**

FOR the purpose of requiring State procurement contracts to include a clause prohibiting certain parties from participating in certain project labor agreements; and generally relating to project labor agreements and State procurement contracts.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–218

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 662 – Senators Kittleman and Raskin**

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 Education, Health, and Environmental Affairs.

**Senate Bill 663 – Senator Kittleman**

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 Education, Health, and Environmental Affairs.

**Senate Bill 664 – Senator Middleton**

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 Education, Health, and Environmental Affairs.

**Senate Bill 665 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – My Sister’s Keeper Group Homes**

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 Carolina Missionary Baptist Church for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 666 – Senator Muse**

AN ACT concerning

**Criminal Law – Fraud – Fraudulent Misrepresentation Made to a Nonprofit Organization Concerning a Lease or Contract**

FOR the purpose of prohibiting a person from making certain fraudulent misrepresentations to a nonprofit organization concerning a certain written contract or lease for certain goods of a certain value; making it a misdemeanor for violating this Act; establishing penalties on conviction of a violation of this Act; providing for restitution; providing that prosecution under this Act does not preclude prosecution for theft; providing for a merger of penalties under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to the crime of making fraudulent misrepresentations to a nonprofit organization concerning a written lease or contract.

BY adding to

Article – Criminal Law

Section 8–409

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

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

**Senate Bill 667 – Senator Muse**

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 Education, Health, and Environmental Affairs and the Committee on Judicial Proceedings.

**Senate Bill 668 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Crossland High School**

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 Prince George’s 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 Budget and Taxation.

**Senate Bill 669 – Senator Reilly**

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 Judicial Proceedings.

**Senate Bill 670 – Senator Rosapepe**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 671 – Senator Rosapepe**

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 Judicial Proceedings.

**Senate Bill 672 – Senator Kasemeyer**

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 Budget and Taxation.

**Senate Bill 673 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Payment of Attorney’s Fees – Contingency Fee**

FOR the purpose of authorizing the payment of fees from an estate to an attorney without court approval if the fee is paid to an attorney representing the estate in litigation under a certain contingency fee agreement, the fee does not exceed the terms of the contingency fee agreement, a copy of the contingency fee agreement is on file with the register of wills, and the attorney files a certain statement with each account; and generally relating to payment of certain attorney’s fees.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 7–604  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

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

**Senate Bill 674 – Senator Jacobs**

AN ACT concerning

**Domestic Violence – Protective Orders – Additional Relief**

FOR the purpose of authorizing a judge to include in a final protective order 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 Judicial Proceedings.

**Senate Bill 675 – Senators Jacobs, Brochin, Getty, Jennings, Pipkin, Reilly, Shank, and Simonaire**

AN ACT concerning

**Sales and Use Tax – Rate**

FOR the purpose of altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales and use tax; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; and generally relating to altering the rate of the sales and use tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–105(b), 11–104(a) and (b), and 11–301  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 676 – Senators Brinkley, Colburn, Simonaire, and Stone**

AN ACT concerning

**County Boards of Education – Alien Students**

FOR the purpose of requiring each county board of education, on or before a certain date of each school year, to make a good faith effort to provide the governing body of the county with the total number of students enrolled in the public school system of the county whose presence in the United States cannot be reasonably documented; prohibiting a county board from associating a student’s race, appearance, language, or name with citizenship or immigration status; and generally relating to students enrolled in public school systems.

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 Education, Health, and Environmental Affairs.

**Senate Bill 677 – Senator Brinkley**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Transportation Trust Fund – Dedicated Highway 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 with certain exceptions; 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; requiring that certain tax and fee revenue credited to the Transportation Trust Fund be used only for certain highway purposes; 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 Budget and Taxation.

**Senate Bill 678 – Senator Brinkley**

AN ACT concerning

**Maryland Estate Tax – Unified Credit**

FOR the purpose of altering a certain limit on the unified credit used for determining the Maryland estate tax; repealing a certain limit on the unified credit used for determining the Maryland estate tax for decedents dying after a certain date; altering a certain limitation on the amount of the Maryland estate tax; 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 Budget and Taxation.

**Senate Bill 679 – Senators Brinkley, Madaleno, Middleton, Rosapepe, and Young**

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 a moving violation for certain purposes, may be treated as a parking violation for certain purposes, and may 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 Judicial Proceedings.

### **Senate Bill 680 – Senator Brinkley**

AN ACT concerning

#### **Public Safety – Regulated Firearms – Exemption from Training Course**

FOR the purpose of providing an exemption from certain requirements to complete a certain firearms training course if an individual is a retired law enforcement officer of a unit of the federal government, the State, or any local law enforcement agency in the State; and generally relating to applicants for regulated firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–119 and 5–134(c)  
Annotated Code of Maryland  
(2003 Volume and 2010 Supplement)

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

### **Senate Bill 681 – Senator Peters**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County – Marleigh Community Safety and Surveillance System**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to change the name of a certain grantee; 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(BK)

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

**Senate Bill 682 – Senators Peters and Montgomery**

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 Finance.

**Senate Bill 683 – Senators Peters and Currie**

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 Budget and Taxation.

**Senate Bill 684 – Senators Peters and Muse**

AN ACT concerning

**Washington Suburban Sanitary Commission – Maturity of Bonds – Limitation on Time Period for Assessment and Collection of Benefit Charges**

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 Budget and Taxation.

**Senate Bill 685 – Senators Astle, Klausmeier, Mathias, Muse, and Pipkin**

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 Finance.

**Senate Bill 686 – Senator Astle**

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 Finance.

### **Senate Bill 687 – Senator Peters**

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 Education, Health, and Environmental Affairs.

#### **Senate Bill 688 – Senator Middleton**

AN ACT concerning

##### **Creation of a State Debt – Charles County – Restoration of the Original Physicians Memorial Hospital Property**

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 Civista Health Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

#### **Senate Bill 689 – Senator Middleton**

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; making a certain technical correction; 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 Judicial Proceedings.

**Senate Bill 690 – Senator Middleton**

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 Finance.

**Senate Bill 691 – Senator Middleton**

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 Finance.

**Senate Bill 692 – Senator Middleton and the President (By Request – Administration) and Senators Benson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, Mathias, Montgomery, Muse, Pinsky, Ramirez, Raskin, and Rosapepe**

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 certain manner determined by the Commission and in accordance with a certain principle;

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 Finance.

### **Senate Bill 693 – Senator Middleton**

AN ACT concerning

#### **Injured Workers’ Insurance Fund – Employee Compensation**

FOR the purpose of providing that employees of the Injured Workers’ 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 Finance.

### **Senate Bill 694 – Senators Kelley and Middleton**

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 Finance.

**Senate Bill 695 – Senators Pinsky, Conway, and Dyson**

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 Education, Health, and Environmental Affairs.

**Senate Bill 696 – Senator Forehand**

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 Judicial Proceedings.

**Senate Bill 697 – Senator Klausmeier**

AN ACT concerning

**Gas and Electric Companies – Use of Trade Name or Trademark**

FOR the purpose of prohibiting certain persons from using the trade name or trademark of an affiliated gas and electric company for a certain purpose unless the person remits royalties of at least a certain amount to the gas and electric company; requiring a gas and electric company that collects royalties under this Act to use the royalties for a certain purpose; providing for the application of this Act; defining a certain term; and generally relating to the use of a gas and electric company's trade name or trademark.

BY adding to  
Article – Public Utilities  
Section 7–801 to be under the new subtitle “Subtitle 8. Miscellaneous Provisions”  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 698 – Senator Klausmeier**

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 Finance.

**Senate Bill 699 – Senator Klausmeier**

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 Finance.

### **Senate Bill 700 – Senator Klausmeier**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 701 – Senator Klausmeier**

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 Finance.

**Senate Bill 702 – Senator Klausmeier**

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 Finance.

**Senate Bill 703 – Senators Klausmeier and Stone**

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 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 Budget and Taxation.

**Senate Bill 704 – Senators Klausmeier and Pugh**

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 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 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; 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 Finance.

**Senate Bill 705 – Senators Klausmeier, Astle, and Pipkin**

AN ACT concerning

**Health Insurance – Dental Provider Contracts – Prohibited Provision**

FOR the purpose of prohibiting a carrier from including in a dental provider contract a provision that requires a dental provider to provide certain services; defining a certain term; providing for the application of this Act; and generally relating to dental provider contracts.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 15–112.2(a)  
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 Finance.

**Senate Bill 706 – Senators Klausmeier, Brochin, Colburn, and Kelley**

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 Budget and Taxation.

**Senate Bill 707 – Senators Klausmeier, Brochin, Colburn, and Kelley**

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 Budget and Taxation.

**Senate Bill 708 – Senators Klausmeier, Ferguson, Forehand, Kelley, King,  
Madaleno, Manno, and Stone**

AN ACT concerning

**Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required  
Use of Protective Headgear**

FOR the purpose of requiring a moped or motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain certain security; requiring an application for the registration of a moped or motor scooter to be submitted electronically; requiring a licensed dealer of mopeds or motor scooters under certain circumstances to obtain a moped or 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 mopeds and motor scooters; establishing an annual registration fee and surcharge for mopeds and motor scooters; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing certain protective headgear and a certain eye-protective device; establishing that the failure of certain individuals to wear certain protective headgear or a certain eye-protective device may not diminish the recovery of certain damages; providing that certain vehicle equipment and inspection requirements do not apply to mopeds and motor scooters; altering certain definitions; making certain stylistic changes and technical corrections; and generally relating to mopeds and motor scooters.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–134.1, 11–134.5, 13–101.1, 13–402(a)(1), 17–104(a) and (b), 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, 21–1306, 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 Judicial Proceedings.

**Senate Bill 709 – Senators Klausmeier, Forehand, Middleton, Montgomery, and Pugh**

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 Finance.

**Senate Bill 710 – Senator Klausmeier**

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 Finance.

**Senate Bill 711 – Senator Klausmeier**

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 Judicial Proceedings.

**Senate Bill 712 – Senator Klausmeier**

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 Finance.

### **Senate Bill 713 – Senator Klausmeier**

AN ACT concerning

#### **Pharmacists – Administration of Vaccines – Regulations**

FOR the purpose of repealing certain provisions of law that require the State Board of Pharmacy to meet annually with the State Board of Physicians and the State Board of Nursing to jointly develop and adopt certain regulations; altering the definition of “practice pharmacy” as it relates to the regulation of pharmacists who administer vaccines; requiring the State Board of Pharmacy to adopt certain regulations; requiring the State Board of Pharmacy to consult with certain boards regarding certain determinations; requiring the State Board of Pharmacy to meet annually with certain boards to review certain regulations; and generally relating to regulations regarding the administration of vaccines by 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) and 12–508

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

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

**Senate Bill 714 – Senators Garagiola, Ferguson, Forehand, Kelley, King, Madaleno, Manno, McFadden, Middleton, Miller, Montgomery, Peters, Ramirez, and Robey**

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 Budget and Taxation.

### **Senate Bill 715 – Senators Garagiola, Astle, and Pugh**

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 Finance.

**Senate Bill 716 – Senators Garagiola, Benson, Conway, Frosh, Jones–Rodwell, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, Ramirez, Raskin, and Rosapepe**

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 Finance.

**Senate Bill 717 – Senator Garagiola and the President (By Request – Administration) and Senators DeGrange, Klausmeier, Manno, Mathias, Middleton, Muse, Pinsky, Pugh, Raskin, Rosapepe, and Young**

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 Finance.

### **Senate Bill 718 – Senator Garagiola**

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 Finance.

**Senate Bill 719 – Senator Mathias**

AN ACT concerning

**Creation of a State Debt – Somerset County – Teackle Mansion and the Sarah Martin Done House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of Somerset County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 720 – Senator Mathias**

AN ACT concerning

**Commercial Fishing Apprenticeship Permit – Eligibility**

FOR the purpose of providing that certain practical commercial fishing experience obtained in certain jurisdictions by certain individuals applies toward the requirements for obtaining a commercial fishing license through the commercial fishing apprenticeship permit; requiring an apprenticeship permittee to obtain the required practical experience within a certain period of time before applying for a commercial fishing license or authorization; altering the process for documenting practical experience under the commercial fishing apprenticeship program; providing that a person may not obtain a seafood landing license through the commercial fishing apprenticeship programs; and generally relating to the commercial fishing apprenticeship program in the State.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-701.1

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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



**Senate Bill 721 – Senator Pinsky**

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 Education, Health, and Environmental Affairs and the Committee on Finance.

**Senate Bill 722 – Senator Rosapepe**

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 Finance.

**Senate Bill 723 – Senator Rosapepe**

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 Finance.

**Senate Bill 724 – Senator Rosapepe**

AN ACT concerning

**Health Insurance – Exchange Option for Small Business**

FOR the purpose of requiring a certain SHOP Exchange to allow certain employers to purchase health insurance through the SHOP Exchange; authorizing employers to purchase health insurance outside the SHOP Exchange; defining certain terms; and generally relating to the SHOP Exchange and health insurance.

BY adding to

Article – Insurance

Section 15–2001 and 15–2002 to be under the new subtitle “Subtitle 20. SHOP Exchange Requirements”

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 725 – Senators Rosapepe, Currie, Ferguson, Madaleno, Manno, Pinsky, Ramirez, and Raskin**

AN ACT concerning

**Tuition Cap and College Opportunity Act of 2011**

FOR the purpose of requiring the Maryland Higher Education Commission to appoint a certain group to assess and report annually on meeting certain goals so that certain institutions are comparable and competitive; requiring the Commission to assess annually the State’s and an institution’s progress toward certain goals and to display the progress in an online format; requiring the Commission to update periodically certain information for certain purposes; requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the State to set certain funding at certain levels as compared to a group of peer institutions in certain states; limiting the annual increase in tuition and fees that may be charged each academic year for certain students under certain circumstances; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring additional State funds be used for certain priorities; requiring the Governor to include in the annual budget submission supplemental funding to certain institutions to be used for certain purposes; requiring performance accountability plans to include graduation rates as the primary indicator of performance for certain institutions; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding

certain policies and procedures; authorizing a governing board to develop a pilot tuition plan for certain purposes, subject to certain restrictions; requiring the Commission to develop and implement a graduated scale for certain grants based on certain criteria; modifying a certain award amount for a certain scholarship program; requiring the Commission to modify certain grants based on certain criteria; declaring the intent of the General Assembly; requiring certain reports be submitted to the General Assembly on or before certain dates; defining certain terms; and generally relating to State support for and tuition at higher education institutions in Maryland.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–203(a), 15–106.6(b)(1) and (c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–105(f)(1) and (h), 11–305, 15–106.6(c)(2), and 18–304(a) and (b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Education  
Section 11–108, 12–117, and 15–106.8  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 726 – Senator Robey**

AN ACT concerning

#### **Hospitalized Adult Disabled Persons – Appointment of Temporary Limited Guardian**

FOR the purpose of providing for the appointment of a temporary limited guardian to consent to discharge of a disabled person from a hospital under certain circumstances; establishing certain procedures for the appointment of a temporary limited guardian; establishing certain powers and duties of a temporary limited guardian; establishing certain requirements for petitions for appointment of a temporary limited guardian; identifying certain individuals who may serve as a temporary limited guardian; providing for a hearing on a petition for the appointment of a temporary limited guardian; providing for certain judicial review procedures; defining certain terms; granting immunity

from liability to certain individuals; making a certain technical correction; and generally relating to the appointment of a temporary limited guardian.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–618(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 13–101(a), (c), (d), (e)(2), and (j), 13–105(b), and 13–705(a) through (c)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–101(l), 13–704, 13–705(f), and 13–710(a)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 13–709.1  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

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

**Senate Bill 727 – Senators Simonaire, Brinkley, Colburn, Edwards, Getty, Glassman, Jacobs, Jennings, King, Manno, Peters, Pipkin, Reilly, Shank, and Young**

AN ACT concerning

### **Small Business Growth Initiative**

FOR the purpose of allowing certain small businesses a credit against the State income tax in a certain amount for a certain guaranty fee paid in order to obtain financing from the United States Small Business Administration; providing for the carryover of unused credit to certain taxable years if the credit exceeds the State income tax otherwise payable for a taxable year; defining a certain term; providing for the application of this Act; and generally relating to a credit against the State income tax in a certain amount for a certain guaranty fee paid by certain small businesses.

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 Budget and Taxation.

**Senate Bill 728 – Senator Simonaire**

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 Education, Health, and  
Environmental Affairs.

**Senate Bill 729 – Senator Pipkin**

AN ACT concerning

**Transportation – Transit Authorities – Red Line and Purple Line**

FOR the purpose of establishing the Red Line Transit Authority and Purple Line Transit Authority to finance, construct, and operate the Red Line and the Purple Line light rail transit lines; providing for the members, appointment, terms, chairmen, and staff of the authorities; prohibiting the Department of Transportation from exercising jurisdiction or authority over the Red Line and Purple Line light rail transit lines; authorizing the authorities to take certain actions in the performance of their duties; authorizing the authorities to tax to the same extent as the State within certain districts for the purpose of financing the Red Line and Purple Line transit facilities and transit service; authorizing the authorities to provide for the collection of any tax and to grant exemptions

from any tax; authorizing the authorities to issue revenue bonds payable from certain fees, fares, and taxes for the purpose of financing transit facilities; providing that bonds issued by the authorities do not constitute a debt or pledge of the full faith and credit of certain entities; providing that bonds issued by the authorities do not obligate certain entities to impose any tax; requiring the authorities to determine certain matters concerning bonds they issue; providing for the issuance and execution of the bonds; authorizing the authorities to issue bonds to refinance the cost of transit facilities; authorizing the authorities to issue revenue refunding bonds for certain purposes; authorizing the authorities to issue interim certificates or temporary bonds; authorizing the authorities to issue bond anticipation notes; authorizing revenue bonds issued by the authorities to be secured by certain trust agreements; requiring certain fees, fares, and taxes designated by the authorities as security for bonds to be adjusted in a certain manner; requiring that certain revenues of the authorities shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the authorities to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the authorities are securities in which certain persons may invest and which may be deposited with certain persons; exempting revenue bonds issued by the authorities from taxation; defining certain terms; and generally relating to the creation of transit authorities to finance, construct, and operate certain transit lines.

BY adding to

Article – Transportation

Section 9–101 through 9–413 to be under the new title “Title 9. Regional Transit Authorities”

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 730 – Senator DeGrange**

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 Budget and Taxation.

**Senate Bill 731 – Senators Astle, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, King, Montgomery, Peters, Reilly, Rosapepe, and Stone**

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 Finance.

**Senate Bill 732 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Jacobs, Kittleman, Reilly, Shank, and Simonaire**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Taxpayer Protection Act**

FOR the purpose of proposing an amendment the Maryland Constitution to require the approval of three-fifths of the members elected to each House of the General Assembly to pass legislation to increase the rate of an existing tax or to impose a tax on an individual or entity not subject to the tax at the time of consideration of the legislation; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

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



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

**Senate Bill 733 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Jacobs, Kittleman, Shank, and Simonaire**

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, and 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 Finance.

**Senate Bill 734 – Senators Pipkin, Kelley, Middleton, and Rosapepe**

AN ACT concerning

**Public Service Commission – Electric Companies – Long-Range Plans**

FOR the purpose of requiring an electric company to develop and submit to the Public Service Commission a certain long-range plan regarding the electric company's electricity needs; requiring the Commission to evaluate certain plans regarding generating needs and the means to meet those needs; requiring the Commission to issue certain orders upon completion of certain evaluations; and generally

relating to the Public Service Commission and plans for long-range electricity needs.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–201  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 735 – Senators Pipkin and Brinkley**

AN ACT concerning

**State Retirement and Pension System – Optional Retirement Program – New Employees**

FOR the purpose of providing that, on or after a certain date, certain individuals are not eligible to join the Employees' Pension System, the Teachers' Pension System, the State Police Retirement System, the Correctional Officers' Retirement System, the Law Enforcement Officers' Pension System, or the Judges' Retirement 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; altering certain definitions; defining certain terms; and generally relating to providing certain State employees and employees of participating governmental units with a defined contribution retirement benefit.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions

Section 23–203, 23–204(c) and (d), 23–208, 24–202, 24–203, 25–202, 26–202(a), 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, 31–113, 31–2A–01(b) and (c), 31–2A–02, 31–2A–03, 31–2A–05, 31–2B–01(b) and (c), 31–2B–02, 31–2B–03, and 31–2B–05

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

BY adding to

Article – State Personnel and Pensions

Section 27–201.1, 31–109.2, 31–109.3, 31–111.7, 31–112.1, 31–2A–03.2, 31–2A–03.3, 31–2A–04.1, 31–2B–03.2, and 31–2B–04.1

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), 31–2A–01(a), and 31–2B–01(a)

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

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

### **Senate Bill 736 – Cecil County Senators**

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 Education, Health, and Environmental Affairs.

**Senate Bill 737 – Senator Pipkin**

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 Budget and Taxation.

**Senate Bill 738 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Garrett County – HART Animal Adoption Center**

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

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

**Senate Bill 739 – Senator Edwards**

AN ACT concerning

**Vehicle Laws – Exceptional Milk Hauling Permit – Repeal of Sunset Provision**

FOR the purpose of repealing the termination of a certain provision of law that authorizes the State Highway Administration to issue an exceptional milk hauling permit valid in certain counties for a combination of vehicles that carries certain raw liquid milk to a processing plant and meets certain requirements; and generally relating to exceptional milk hauling permits.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 24–113.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 404 of the Acts of the General Assembly of 2007  
Section 5

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

**Senate Bill 740 – Senator Madaleno**

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 Education, Health, and Environmental Affairs.

**Senate Bill 741 – Senators Pugh and Madaleno**

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 Finance.

### **Senate Bill 742 – Senator Pugh**

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 Finance.

### **Senate Bill 743 – Senator Pugh**

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 Finance.

**Senate Bill 744 – Senators Pugh and Montgomery**

AN ACT concerning

**Health Insurance – Coverage for Telemedicine Services**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain telemedicine services in a certain manner; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding from coverage a certain telemedicine service for certain reasons; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to reimburse health care providers for a telemedicine service in a certain manner; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from requiring a certain deductible, copayment, coinsurance amount, annual dollar maximum, or lifetime dollar maximum; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to undertake utilization review to determine the appropriateness of a telemedicine service under certain circumstances; providing that a certain decision constitutes a certain adverse decision under certain circumstances; making certain provisions of this Act applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance and telemedicine services.

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 Finance.

**Senate Bill 745 – Senator Stone**

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 Judicial Proceedings.

### **Senate Bill 746 – Senator Stone**

AN ACT concerning

#### **Economic Development – Task Force on Job Creation**

FOR the purpose of establishing the Task Force on Job Creation; specifying the membership, chair, and staffing of the Task Force; specifying that a member of the Task Force may not receive compensation, but may receive certain reimbursement; requiring the Task Force to determine the causes of the loss of employment opportunities in the State and make certain recommendations; requiring the Task Force to inventory current State and local agencies, laws, regulations, and policies on job creation that are duplicative, operate at cross–purposes, or are ineffective as to job creation and retention; requiring the Task Force, on or before certain dates, to submit certain preliminary and final reports to the Governor and the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Job Creation.

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

### **Senate Bill 747 – Senator Stone**

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 Judicial Proceedings.

### **Senate Bill 748 – Senator Stone**

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 Budget and Taxation.

**Senate Bill 749 – Senators Manno and Mathias**

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 Finance.

**Senate Bill 750 – Senator Manno**

AN ACT concerning

**Religious Observance Accommodations 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 employer 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 Accommodations 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 Finance.

**Senate Bill 751 – Senator Manno**

AN ACT concerning

**Environment – Dishwashing Detergent Containing Phosphorus – Penalties**

FOR the purpose of altering the penalty for selling, manufacturing, or distributing certain household dishwashing detergents after a certain date; establishing that each pound of a cleaning agent sold, distributed, or manufactured in violation of a certain provision of law is a separate violation; repealing obsolete language; and generally relating to dishwashing detergents containing phosphorus.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1503 and 9–1505  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 752 – Senators Benson, Frosh, Madaleno, Montgomery, and Ramirez**

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 Education, Health, and Environmental Affairs.

**Senate Bill 753 – Senator Benson**

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 Finance.

**Senate Bill 754 – Senators King, Benson, Forehand, Kelley, Madaleno, Montgomery, and Raskin**

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 Education, Health, and Environmental Affairs.

**Senate Bill 755 – Senator Pugh**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 756 – Senator Kelley**

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 Judicial Proceedings.

**Senate Bill 757 – Senators Kittleman and Raskin**

AN ACT concerning

**Election Law – Electronic Media – Electronic Contributions and Expenditures**

FOR the purpose of repealing certain requirements that a campaign finance entity make a disbursement only by check; requiring a campaign finance entity to make a disbursement by certain methods; requiring an electronic method of making a disbursement that the State Board of Elections authorizes by regulation to satisfy certain requirements; repealing a requirement that a contribution in excess of a certain amount be made only by check or credit card; requiring that a contribution be made by certain methods; requiring an electronic method of making a contribution that the State Board authorizes by regulation to satisfy certain requirements; requiring the State Board to adopt regulations governing the application of certain disclosure and retention requirements to campaign material transmitted through electronic media; requiring the regulations adopted by the State Board to satisfy certain requirements; authorizing the regulations adopted by the State Board to modify certain statutory requirements as they relate to electronic media as necessary to accommodate particular technologies; and generally relating to conforming election law to electronic methods of disseminating campaign material and electronic methods of making contributions and expenditures.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(k), 13–401, and 13–403  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–220 and 13–226(b)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to  
Article – Election Law  
Section 13–234 and 13–404  
Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 758 – Senators Kittleman and Raskin**

AN ACT concerning

**Campaign Finance Entities – Slates – Membership and Campaign Finance Transfers and Reporting**

FOR the purpose of requiring a member of a slate to be removed from the slate under certain circumstances; requiring the treasurer of a slate to notify the State Board of Elections, within a certain time period of discovering that a member is required to be removed from the slate, that the member be removed; altering the exemption from transfer limits for transfers between a slate and the campaign finance entities of its members; requiring a slate to include in its campaign finance reports certain information regarding slate expenditures and transfers; providing for a delayed effective date; and generally relating to the membership and campaign finance transfers and reporting of slates.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–209, 13–227, and 13–304  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 759 – Senators Klausmeier, Benson, King, Manno, Mathias, and Montgomery**

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 Finance.

### **Senate Bill 760 – Senator Brinkley**

AN ACT concerning

#### **Frederick County – Property Tax Setoff**

FOR the purpose of requiring the governing body of Frederick County to grant a property tax setoff to a municipal corporation in certain minimum amounts for certain taxable years; and generally relating to a property tax setoff in Frederick County.

BY repealing and reenacting, without amendments,

Article – Tax – Property  
Section 6–305(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 6–305(k)  
Annotated Code of Maryland

(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 761 – Senator Brinkley**

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 Budget and Taxation.

**Senate Bill 762 – Senator Brinkley**

AN ACT concerning

**Property Tax Assessments – Physical Inspection of Property**

FOR the purpose of repealing a requirement that the State Department of Assessments and Taxation or the supervisor of assessments for a county value all real property once in every 3–year cycle based on an exterior physical inspection of the real property; requiring the Department’s review of each real property assessment during a 3–year cycle to include a physical inspection under certain circumstances; and generally relating to a requirement that the State Department of Assessments and Taxation or the supervisor of assessments value property based on an exterior physical inspection.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 2–203(b) and 8–104(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 763 – Senator Kittleman**

AN ACT concerning

**Hunting Licenses – Exemption for Disabled Armed Forces Members**

FOR the purpose of expanding a certain exemption from the requirement to obtain a hunting license for a person who serves in the armed forces and has a service-connected disability; and generally relating to exemptions from the requirement to obtain a hunting license.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10–301(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–301(c)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 764 – Senator Young**

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 Budget and Taxation.

**Senate Bill 765 – Senators Young, King, Madaleno, and Rosapepe**

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 Education, Health, and Environmental Affairs.

**Senate Bill 766 – Senator Rosapepe**

AN ACT concerning

**Snowstorm and Related Climate Change Preparation Act**

FOR the purpose of requiring, on or before a certain date, the Maryland Commission on Climate Change, in cooperation with the Department of Transportation and the Maryland Emergency Management Agency, to submit a certain report to the Governor and the General Assembly on certain State investments necessary for the State to respond to certain weather emergencies; requiring the report to include certain information; stating the intent of the General Assembly that the Governor request certain federal funds for a certain purpose and appropriate a certain amount of State funds in a certain fiscal year for a certain purpose; and generally relating to weather emergency response funding in the State.

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

**Senate Bill 767 – Senator Mathias**

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 Education, Health, and Environmental Affairs.

**Senate Bill 768 – Senators Ramirez and Frosh**

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 Judicial Proceedings.

**Senate Bill 769 – Senators Conway and Montgomery**

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 Education, Health, and Environmental Affairs.

**Senate Bill 770 – Senators Conway and Montgomery**

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 Education, Health, and Environmental Affairs.

**Senate Bill 771 – Senators Conway, Colburn, Currie, Ferguson, Forehand, Frosh, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin**

AN ACT concerning

**Education – Student–Athletes – Concussions**

FOR the purpose of requiring the State Department of Education, in collaboration with certain organizations and individuals, to develop certain policies and implement a certain program; requiring a certain program to include a certain verification process; requiring county boards of education to provide a certain information sheet to certain individuals; requiring certain individuals to sign certain statements; requiring the Department to create a certain information sheet and acknowledgement statement; requiring the removal from play of certain student–athletes; prohibiting the return to play of certain student–athletes until certain student–athletes receive certain evaluation and clearance; requiring youth sports programs to provide certain information to county boards under certain circumstances; defining certain terms; and generally relating to the development of policies and implementation of a program to provide awareness on the nature and risk of concussions.

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 Education, Health, and Environmental Affairs.

**Senate Bill 772 – Senator Conway**

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 Education, Health, and Environmental Affairs.

**Senate Bill 773 – Senator Conway**

AN ACT concerning

**Baltimore City – Adult Entertainment – Age**

FOR the purpose of requiring a certain licensee or transferee in Baltimore City that offers adult entertainment to prohibit patrons under a certain age on the licensed premises; and generally relating to adult entertainment in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–203  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 774 – Senator Conway**

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 Budget and Taxation.

**Senate Bill 775 – Senator Conway**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Adult Education and Literacy Services – Transfer to Maryland State Department of Education**

FOR the purpose of transferring adult education and literacy services functions administered by the Department of Labor, Licensing, and Regulation to the State Department of Education; designating the State Board of Education the sole agency in the State responsible for administering and supervising policy and funding for adult education and literacy; requiring the State Department of Education to be responsible for the development of a certain State plan and submission of the plan to the federal Department of Education; altering the duties of a certain division within the Department of Labor, Licensing, and Regulation; requiring that responsibility for certain services and grants in the State transfer to the State Department of Education by a certain date; requiring that certain funds be included in a certain budget for a certain fiscal year; providing for the transfer of certain employees under certain circumstances; authorizing the Governor to transfer certain appropriations; authorizing certain grants and funding contracts to continue for a certain time period under certain circumstances; requiring the departments to consult over certain grants and contracts; providing certain provisions to effectuate the transfer of the functions and units required by this Act; making the provisions of this Act severable; and generally relating to the transfer of certain functions of State government and the administration of adult education and literacy services.

BY transferring

Article – Labor and Employment

Section 11–801(b), 11–804, 11–805, 11–806, 11–807, and 11–808, respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

to be

Article – Education

Section 2–205(r)(1) and (2), 4–110, 5–218, 7–205.1, and 7–206, respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 2–205(r), 4–110, 5–218, 7–205.1, and 7–206

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–102 and 11–103

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 11–801  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 776 – Senator Ferguson**

AN ACT concerning

**Parent Empowerment Act of 2011**

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 based on accomplishing certain improvements; 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 in 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; establishing a limit on the percentage or number of schools in a county that may be subject to a certain petition during a certain time period; requiring the State Board to adopt certain regulations by a certain date; defining certain terms; declaring a certain intent of the General Assembly; 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”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 777 – Senator Ferguson**



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 Budget and Taxation.

**Senate Bill 778 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 779 – Senator Ferguson**

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 Budget and Taxation.

**Senate Bill 780 – Senators Ramirez and Muse**

AN ACT concerning

**Vehicle Laws – Stolen Vehicles – Towing and Impoundment Charges**

FOR the purpose of providing that certain persons may not be held liable for certain vehicle towing and impoundment charges for certain stolen vehicles that were incurred before certain notice was provided; limiting certain towing and impoundment charges that certain persons are required to pay before reclaiming a towed and impounded stolen vehicle to charges incurred after certain notice was provided; limiting in certain counties the costs that certain persons may seek to recover for the towing and impoundment of a stolen vehicle to costs incurred after providing certain notice; limiting the towing and impoundment costs used to determine certain reimbursements for the towing and impoundment of a stolen vehicle to costs incurred after certain notice was provided; altering a certain definition; making a technical correction; and generally relating to towing and impoundment charges for a stolen vehicle.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 25–201(a) and 25–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 25–201(b), 25–204, 25–206.1, 25–206.2(e), and 25–207(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 781 – Senators Muse, Benson, Ferguson, Manno, Montgomery, and Ramirez**

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 Finance.

### **Senate Bill 782 – Senator Pugh**

#### **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 Finance.

### **Senate Bill 783 – Senator Middleton**

AN ACT concerning

#### **Estate Tax – Qualified Agricultural Property – Forest Banking Operations**

FOR the purpose of altering the definition of “qualified agricultural property” under a certain alternative payment schedule allowed under the Maryland estate tax to include property operated by certain forest banking operations; defining a certain term; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to a certain alternative payment schedule allowed under the Maryland estate tax for certain qualified agricultural property.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–307(e)

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 784 – Senators Manno, Frosh, Garagiola, King, and Madaleno**

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 Budget and Taxation.

**Senate Bill 785 – Senators Montgomery, Raskin, Benson, Kelley, Madaleno, Manno, and Rosapepe**

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 Education, Health, and Environmental Affairs.

**Senate Bill 786 – Senators Montgomery and Forehand**

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 Finance.

**Senate Bill 787 – Senators Raskin, Forehand, Kelley, Klausmeier, Madaleno, and Manno**

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 Education, Health, and Environmental Affairs.

**Senate Bill 788 – Senator Raskin**

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 resident of 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 only in elections for federal office 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)

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

**Senate Bill 789 – Senator Raskin**

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 Finance.

**Senate Bill 790 – Senator Raskin**

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 Judicial Proceedings.

### **Senate Bill 791 – Senator Raskin**

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 Education, Health, and Environmental Affairs.

**Senate Bill 792 – Senators Benson, Currie, Ferguson, Jones–Rodwell, Montgomery, and Ramirez**

AN ACT concerning

**Crimes – Prohibition on Sale of Drug Paraphernalia to a Minor – Local Law**

FOR the purpose of authorizing the governing body of a county or a municipal corporation to adopt a local law that prohibits a person from selling drug paraphernalia to a minor; authorizing a county or a municipal corporation to impose certain criminal or civil penalties; providing that a local law adopted by a county or municipal corporation may authorize the revocation or nonrenewal of a license or permit issued to a business found to be in violation of the local law; defining a certain term; and generally relating to a local law prohibiting the sale of drug paraphernalia to a minor.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–101(a) and (o)

Annotated Code of Maryland

(2002 Volume and 2010 Supplement)

BY adding to

Article – Criminal Law

Section 5–619.1

Annotated Code of Maryland  
(2002 Volume and 2010 Supplement)

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

**Senate Bill 793 – Senators Benson, Currie, Forehand, King, Montgomery,  
Ramirez, and Rosapepe**

AN ACT concerning

**Public Service Companies – Termination of Electric or Gas Service – Extreme  
Temperatures**

FOR the purpose of altering the forecasted temperatures beyond which an electric company or a gas company may not terminate certain services to certain customers; altering the period of certain forecasted temperatures within which an electric company or a gas company may not terminate certain services to certain customers; and generally relating to the termination of electric service and gas service by a public service company to residential customers.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–307.1  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 794 – Senators Benson, Currie, Jones–Rodwell, Montgomery, and  
Ramirez**

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 this State certain unpackaged cigarettes; prohibiting a person from making available for use by another person a tobacco product rolling machine to produce an unpackaged cigarette; providing that a person who possesses, sells, or attempts to sell certain cigarettes is in violation of a certain provision of law; establishing certain penalties for a violation of certain provisions of this Act; defining certain terms; 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 Finance.

**Senate Bill 795 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mount Vernon Place Conservancy**

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 Mount Vernon Place 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 Budget and Taxation.

**Senate Bill 796 – Senators Jones–Rodwell, Benson, Currie, Kelley, McFadden, Montgomery, Pugh, and Ramirez**

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 Finance and the Committee on Budget and Taxation.

**Senate Bill 797 – Senator Jones–Rodwell**

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 Budget and Taxation.

**Senate Bill 798 – Senator Jones–Rodwell**

AN ACT concerning

**Income Tax – Millionaires Tax – Extension of Termination Date**

FOR the purpose of extending to a certain date 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 Budget and Taxation.

**Senate Bill 799 – Senator Jones–Rodwell (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 Budget and Taxation.

**Senate Bill 800 – Senators Benson and Montgomery**

AN ACT concerning

**Corporate Income Tax Reform**

FOR the purpose of providing that, to the extent allowed under the United States Constitution, under certain circumstances certain income of certain corporations that is not apportionable under the United States Constitution shall be allocated to the State for income tax purposes; requiring that certain sales of tangible personal property be included in the numerator of the sales factor used for apportioning a corporation's income to the State under certain circumstances; requiring the Comptroller to assess interest and penalties under

certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to the income tax on corporations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–402(c)  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 801 – Senators Shank and Gladden**

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 Judicial Proceedings.

## INTRODUCTION OF BILLS

### **Senate Bill 802 – Senator King**

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 Budget and Taxation.

**Senate Bill 803 – Senators Raskin, Astle, Benson, Brochin, Colburn, Currie, Forehand, Frosh, Jacobs, King, Madaleno, Manno, Middleton,**



**Montgomery, Muse, Peters, Pinsky, Robey, Shank, Simonaire, Stone,  
Young, and Zirkin**

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 Judicial Proceedings.

**Senate Bill 804 – Senator Raskin**

AN ACT concerning

**Electric Companies – Extended Service Disruptions – Penalties and  
Ratepayer Compensation**

FOR the purpose of requiring the Public Service Commission to require, by regulation or order, an electric company to compensate a ratepayer for certain damages resulting from an extended disruption to electrical service, including certain expenses; authorizing the Commission to impose a certain penalty on an electric company if the Commission makes a certain determination; prohibiting certain costs and penalties from being passed on to ratepayers; and generally relating to disruptions to electrical service.

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 Finance.

**Senate Bill 805 – Senator Middleton**

AN ACT concerning

**Workers’ Compensation – Benefits – Dependency**

FOR the purpose of providing that certain death benefit provisions of the workers’ compensation law apply only to certain covered employees of a municipal corporation or a county and their dependents; altering the authority of the Workers’ Compensation Commission to make certain determinations of dependency; providing that certain surviving spouses and individuals are not entitled to certain death benefits; providing for the calculation of death benefits for certain 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 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 an exception to the termination of certain death benefits for certain children under certain circumstances; providing 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;

authorizing a municipal corporation or county to make a certain election; increasing the amount of certain funeral expenses that the employer or its insurer is required to pay; 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 through 9–683 and 9–689  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Labor and Employment  
Section 9–683.1, 9–683.2, 9–683.3, 9–683.4, 9–683.5, and 9–683.6  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 806 – Senator Young**

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 Education, Health, and Environmental Affairs.

**Senate Bill 807 – Senator Stone**

EMERGENCY BILL

AN ACT concerning

**State Procurement – Employment of Unauthorized Aliens and the Federal E-Verify Program**

FOR the purpose of requiring an employer under a State procurement contract or certain other grant that includes State money to verify, through a certain federal program governing immigration status, the employment eligibility of certain of its employees; prohibiting an employer under a State procurement contract or certain other grant that includes State money from intentionally or knowingly hiring an unauthorized alien under the procurement contract or grant; defining certain terms; authorizing a person to file a certain complaint with certain law enforcement officials alleging that certain employers are employing certain employees in violation of law; requiring the law enforcement officials to investigate the complaints and take certain actions; requiring a certain court to hear certain actions; requiring the court to impose certain sanctions on certain employers found to have committed certain violations; authorizing a court to impose certain sanctions against certain employers under certain circumstances; requiring that certain agencies suspend the licenses of certain employers under certain circumstances; providing for the revocation of the licenses of certain employers under certain circumstances; requiring the Attorney General to maintain certain records and a certain database and to make the information available on the Attorney General's Web site; specifying a certain absolute defense; providing for the construction of this Act; providing for

the application of this Act; making this Act an emergency measure; and generally relating to the employment of unauthorized aliens and the federal E-Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–111 to be under the new title “Title 20. Employment of Unauthorized Aliens and the Federal E-Verify Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 808 – Senators Dyson, Benson, Reilly, and Young**

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 Education, Health, and Environmental Affairs.

### **Senate Bill 809 – Senator Zirkin**

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 Judicial Proceedings.

**Senate Bill 810 – Senator Zirkin**

AN ACT concerning

**Baltimore County – Consolidated Transportation Program – Project  
Requests Subject to Advice and Consent of County Council**

FOR the purpose of making a request by the County Executive of Baltimore County to the Secretary of Transportation that a major capital project be considered for inclusion in the construction program of the Consolidated Transportation Program subject to the advice and consent of the County Council of Baltimore County; and generally relating to requests by Baltimore County to include certain projects in the Maryland Consolidated Transportation Program.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 2–103.1(a)(1), (4), (7), and (10) and (c)(6)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103.1(c)(5)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 811 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Jewish Community Services  
Addition**

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 Associated Jewish Charities 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes;

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

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

**Senate Bill 812 – Senator Zirkin**

AN ACT concerning

**Blue Ribbon Commission on Maryland Transportation Funding – Uniform Process for Local Priorities**

FOR the purpose of requiring the Blue Ribbon Commission on Maryland Transportation Funding to identify the transportation priorities of local jurisdictions, to receive input from citizens and elected officials concerning the transportation priorities of local jurisdictions, and to compare and evaluate certain transportation priorities of local jurisdictions; and generally relating to the Blue Ribbon Commission on Maryland Transportation Funding.

BY repealing and reenacting, with amendments,  
Chapter 525 of the Acts of the General Assembly of 2010  
Section 1

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

**Senate Bill 813 – Senators McFadden, Currie, Middleton, and Stone**

AN ACT concerning

**Video Lottery Terminal Applicants and Licensees – Minority Business Participation – Modifications and Sunset Extension**

FOR the purpose of adding maintenance and ongoing service delivery to the requirements that certain applicants or licensees for video lottery operations must meet regarding minority business participation under certain circumstances; extending a certain termination date for certain provisions of law relating to minority participation in video lottery facility operations; providing a termination date for certain monitoring, reporting, and other duties of the State Lottery Commission and the Governor's Office of Minority Affairs; and generally relating to minority business participation requirements and video lottery operation licenses.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–10  
Annotated Code of Maryland



(2009 Replacement Volume and 2010 Supplement)

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

## INTRODUCTION OF JOINT RESOLUTIONS

### **Senate Joint Resolution 4 – Senator Dyson**

A Senate 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 Education, Health, and Environmental Affairs.

### **Senate Joint Resolution 5 – Senators Benson, Currie, Ferguson, Forehand, Garagiola, Jones–Rodwell, Montgomery, and Pinsky**

A Senate Joint Resolution concerning

#### **Public–Private Partnerships to Promote Broadband Internet Access**

FOR the purpose of urging counties and municipalities to promote and facilitate the creation of public–private partnerships to provide access to broadband Internet and related information technology to all State residents, particularly those living in urban centers or underserved communities.

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

### **Senate Joint Resolution 6 – Senator Middleton**

A Senate 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 Finance.

### **QUORUM CALL**

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

(See Roll Call No. 86)

### **ADJOURNMENT**

At 8:25 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 8, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 8, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Reverend Michael E. Erickson, Chaplain of Boy Scouts of America and Professor, Capital Bible Seminary, guest of Senator Glassman.

(See Exhibit A of Appendix III)

The Journal of February 4, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 88)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 32 – Senator Reilly**

AN ACT concerning

**Agriculture – Practice of Veterinary Medicine – Exclusions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tree Expert License – Application and Renewal**

**SB0080/744833/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 80

(First Reading File Bill)

On page 1, in line 7, after “regulation;” insert “providing for the termination of this Act;”.

On page 2, in line 9, after “2011.” insert “It shall remain effective for a period of 5 years and, at the end of September 30, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 91 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3**

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

**Senate Bill 17 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Sentence Review – Review Panel**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 50 – Senators Brochin, Frosh, and Stone**

AN ACT concerning

**Criminal Procedure – Victim’s Compensation – Temporary Lodging for Domestic Violence Victims**

**SB0050/758974/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 50

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, Forehand, Gladden, Jacobs, Ramirez, Raskin, Shank, and Zirkin”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Courts – Natural Resources Violations – Jurisdiction**

Senator Colburn moved, duly seconded, to make the Bill and Report a Special Order for February 15, 2011.

The motion was adopted.

**INTRODUCTION OF RESOLUTIONS****Senate Resolution No. 92 – Senator Edward J. Kasemeyer:**

Be it hereby known to all that

The Senate of Maryland  
 offers its sincerest congratulations to  
 Maryland Senior Olympics  
 in recognition of  
 Maryland Senior Olympics Day elevating the visibility of our Senior Athletes and their  
 participation in the  
 2011 National Games.

The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 8th day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 89)

**THE COMMITTEE ON FINANCE REPORT #2**

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

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental –  
 Comptroller)**

AN ACT concerning

**Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and  
 Penalties**

**SB0082/287275/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 82

(First Reading File Bill)

On page 1, in line 7, after “Act;” insert “providing for the application of certain  
 provisions of this Act;”.

On page 2, after line 9, insert:

**“(A) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO PRODUCES  
 UNPACKED CIGARETTES FOR THE INDIVIDUAL’S CONSUMPTION BY USING:**

**(1) A MECHANICAL ROLLING MACHINE; OR**

**(2) A HAND ROLLING DEVICE OR PROCEDURE.”;**

and in lines 10, 14, and 17, strike “(a)”, “(b)”, and “(C)”, respectively, and substitute “(B)”, “(C)”, and “(D)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 88 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Insurance Administration – Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

**SB0093/487974/1**

BY: Finance Committee



(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Board;” insert “altering the membership of the Board;”; and in line 15, after “Section” insert “9-202 and”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“9-202.

(a) (1) The Board consists of [13] 14 members.

(2) Of the [13] 14 Board members:

(i) Six members shall be licensed nursing home administrators who are practicing actively and have at least 5 years experience as licensed nursing home administrators, one of whom has experience with the Eden Alternative Green House or a similar program, if practicable;

(ii) Two shall be individuals who are not nursing home administrators but who are engaged actively in professions that are concerned with the care of chronically ill, infirm, or aged individuals;

(iii) One shall be a physician or a nurse practitioner who specializes in geriatrics;

(iv) One shall be a geriatric social worker; [and]

(v) ONE SHALL BE THE STATE LONG-TERM CARE OMBUDSMAN DESIGNATED UNDER § 10-903 OF THE HUMAN SERVICES ARTICLE; AND

[v] (vi) Two shall be consumer members.

(3) Not more than [two] THREE members may be officials or full-time employees of this State or of any of its political subdivisions.

(4) A representative of the Office of Health Care Quality shall serve as an ex officio member.

(b) (1) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.

(2) (i) Except for the consumer members AND THE STATE LONG-TERM CARE OMBUDSMAN, the Governor shall appoint each Board member, with the advice of the Secretary.

(ii) The Secretary shall make each recommendation after consulting with the associations and societies appropriate to the disciplines and professions representative of the vacancy to be filled.

(c) Each Board member shall:

(1) Be a United States citizen or have declared an intent to become a United States citizen; and

(2) Have resided in this State for at least 1 year before appointment to the Board.

(d) (1) Each consumer member of the Board:

(i) Shall be a member of the general public;

(ii) May not be or ever have been a nursing home administrator or in training to become a nursing home administrator;

(iii) May not have a household member who is a nursing home administrator or in training to become a nursing home administrator;

(iv) May not participate or ever have participated in a commercial or professional field related to the practice of a nursing home administrator;

(v) May not have a household member who participates in a commercial or professional field related to the practice of a nursing home administrator; and

(vi) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(2) One consumer member shall have presently or have had a family member living in a nursing home.

(e) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(f) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(g) (1) THIS SUBSECTION DOES NOT APPLY TO THE STATE LONG-TERM CARE OMBUDSMAN.

(2) The term of a member is 4 years.

[(2)] (3) The terms of members are staggered as required by the terms provided for members of the Board on July 1, 1981.

[(3)] (4) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

[(4)] (5) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

[(5)] (6) A member may not serve more than 2 consecutive full terms.

[(6)] (7) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(h) (1) The Governor may remove a member for incompetence, misconduct, incapacity, or neglect of duty.

(2) Upon the recommendation of the Secretary, the Governor may remove a member whom the Secretary finds to have been absent from 2 successive Board meetings without adequate reason.”;

strike beginning with “a” in line 27 down through “(3)” in line 29; and in lines 31 and 32, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively.

On page 3, in lines 1 and 5, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

**SB0103/467373/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 103

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, strike “the Maryland Judiciary, in consultation with”; in line 24, strike the comma; in lines 24 and 25, strike “study a certain issue” and substitute “monitor whether the Maryland Judiciary has made a certain determination”; and in line 25, strike “its” and substitute “certain”.

AMENDMENT NO. 2

On page 10, in lines 5 and 6, strike “the Maryland Judiciary, in consultation with”; in line 7, strike the comma; in line 8, strike “examine” and substitute “monitor”; in the same line, after “whether” insert “the Maryland Judiciary has determined if”; in

line 13, strike “its” and substitute “any”; and in the same line, after “recommendations” insert “made by the Maryland Judiciary”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 108 – Senator Garagiola**

AN ACT concerning

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

Senator Edwards moved, duly seconded, to make the Bill and Report a Special Order for February 9, 2011.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 90)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #2**

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 91)

The Bill was then sent to the House of Delegates.

**Senate Bill 69 – Senator Glassman**

AN ACT concerning

**Property Tax – Assessment Appeal Hearings – Right to Record**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 92)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 93)

**ADJOURNMENT**

At 10:38 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 9, 2011.

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**Annapolis, Maryland**  
**Wednesday, February 9, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer by Reverend Kermit Netteburg, Beltsville Seventh-day Adventist Church, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of February 8, 2011 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Getty, Jennings and Shank be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 95)

**INTRODUCTION OF BILLS**

**Senate Bill 814 – Senator Shank**

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 Rules.

**Senate Bill 815 – Senator Reilly**

AN ACT concerning

**State Government – Commemorative Month – Irish–American Heritage  
Month**

FOR the purpose of requiring the Governor to proclaim a certain month each year as Irish–American Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to Irish–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 Rules.

**Senate Bill 816 – Senators Reilly, Jennings, and Peters**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**General Assembly – Member Called to Active Duty – Temporary Replacement**

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the General Assembly to enact legislation to provide for the prompt and temporary replacement of an incumbent member of the House of Delegates or the Senate of Maryland who is unavailable to perform the duties of the office because the member is ordered to active duty in the armed services of the United States; 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 13

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

**Senate Bill 817 – Senator Reilly**

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 Rules.

**Senate Bill 818 – Senators Reilly, Jennings, and Peters**

AN ACT concerning

**General Assembly – Member Called to Active Duty – Temporary Replacement – Implementing Legislation**

FOR the purpose of requiring the Governor to appoint a temporary successor to serve in the General Assembly for an absent member called to active duty in the armed services under certain circumstances; requiring the Governor to make the appointment, within a certain time, from a list of nominees submitted by the central committee of a certain political party in a certain county or district; requiring a temporary successor to have certain qualifications and meet certain eligibility requirements; requiring the Governor to issue a proclamation after making an appointment of a temporary successor; providing that a temporary successor serves at the pleasure of the house of the General Assembly of which the individual is a member, is subject to relevant provisions of the Maryland Constitution and the laws of the State governing members of the General Assembly, and is entitled to exercise the powers and assume the duties and privileges of a member of the General Assembly while serving in office; prohibiting a temporary successor from removing a certain employee; authorizing a temporary successor to hire a certain employee for a temporary period; requiring a temporary successor to receive certain ethics counsel and to file a certain ethics financial disclosure statement under certain circumstances; providing for salary or compensation for the temporary successor; prohibiting an absent member from receiving certain salary or compensation; prohibiting a

temporary successor from being a candidate for election to a certain office under certain circumstances; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to a temporary successor for an absent member of the General Assembly who is called to active duty in the armed services.

BY adding to

Article – Election Law

Section 5–1401 through 5–1409 to be under the new subtitle “Subtitle 14.  
Temporary Successor for General Assembly Member”

Annotated Code of Maryland  
(2010 Replacement Volume)

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

### **Senate Bill 819 – Senator Currie**

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 Rules.

### **Senate Bill 820 – The President (By Request – Administration) and Senators Garagiola and Jacobs**

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 Rules.

### **Senate Bill 821 – Senators Brinkley and Young**

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 Rules.

### **Senate Bill 822 – Senator Middleton**

AN ACT concerning

#### **Maryland Communities for a Lifetime Act**

FOR the purpose of establishing the Maryland Communities for a Lifetime Program within the Department of Aging; altering the membership of the Interagency Committee on Aging Services; providing for the term of a representative of a

Community for a Lifetime on the Interagency Committee; prohibiting the reappointment of a representative of a Community for a Lifetime for more than a certain number of terms; requiring the Interagency Committee to plan for assisting Communities for a Lifetime annually; altering the composition of local interagency committees; requiring the Secretary of Aging to determine the amount of a grant for a proposed or existing senior activities center capital improvement after considering whether a Community for a Lifetime is affected by the project; requiring the Senior Citizen Activities Center Operating Fund to be used to benefit Communities for a Lifetime in a certain manner; requiring the Secretary of Aging, with the advice of the Innovations in Aging Services Advisory Council, to include provisions for funding grants sought by Communities for a Lifetime within an Innovations in Aging Services Program plan in a certain manner; altering the membership of the Innovations in Aging Services Advisory Council; establishing the purpose of this Act; requiring the Department of Aging, in consultation with area agencies on aging and the Interagency Committee on Aging Services, to establish, oversee, and coordinate the Maryland Communities for a Lifetime Program; requiring the Department of Aging to establish a certification process for Communities for a Lifetime; requiring the Department of Aging to consider certain criteria in its certification process for Communities for a Lifetime; requiring a Community for a Lifetime to report to the Department of Aging on certain progress and plans by a certain date each year; requiring a Community for a Lifetime to be considered a priority funding area; defining a certain term; and generally relating to establishing a Maryland Communities for a Lifetime Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–101, 10–302, 10–306, 10–504, 10–514, 10–603, and 10–604

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–301, 10–501, 10–502, and 10–602

Annotated Code of Maryland

(2007 Volume and 2010 Supplement)

BY adding to

Article – Human Services

Section 10–801 through 10–804 to be under the new subtitle “Subtitle 8.  
Maryland Communities for a Lifetime Program”

Annotated Code of Maryland

(2007 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)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 449 – Senators Pugh, Ferguson, and Gladden**

AN ACT concerning

**Baltimore City Public School System – Charter Management Organizations –  
Amendments to Collective Bargaining Agreements**

Reassigned to the Committee on Finance and the Committee on Education, Health,  
and Environmental Affairs  
under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 646 – Senators Ramirez, Garagiola, Klausmeier, Madaleno,  
Montgomery, Stone, and Young**

AN ACT concerning

**Economic Development – Green Business Incentive Zones**

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

Read and ordered journalized.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #2**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental  
Affairs reported favorably:

**Senate Bill 46 – Senator Conway**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 76 – Senator Montgomery**

AN ACT concerning

**State Board of Podiatric Medical Examiners – Volunteer Podiatrist License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 84 – The President (By Request – Department of Legislative  
Services)**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 89 – The President (By Request – Department of Legislative  
Services)**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 90 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 117 – Senators Glassman and Rosapepe**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

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

**Senate Bill 108 – Senator Garagiola**

AN ACT concerning

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 96)

### **ADJOURNMENT**

At 10:32 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 10, 2011.



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**Annapolis, Maryland**  
**Thursday, February 10, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:17 A.M.

Prayer by Pastor John A. Mohan, St. Michael's Lutheran Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of February 9, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 98)

**INTRODUCTION OF BILLS**

**Senate Bill 823 – Senator Edwards**

**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 Rules.

**Senate Bill 824 – Senator Kelley**

AN ACT concerning

**Common Ownership Community Managers – Licensing and Regulation**

FOR the purpose of creating the State Board of Common Ownership 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; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Department to set certain fees by regulation; requiring the Board 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 Ownership Community Managers Fund; requiring the Board to establish standards for training and continuing education of licensees; requiring an individual to be licensed by the Board before the individual acts as a community manager in the State; requiring an applicant to meet certain qualifications for a license; requiring the Department to establish qualifications for the issuance and renewal of licenses by regulation; requiring the Department to set certain licensing fees by regulation; requiring the Board to establish by regulation, subject to certain hearing provisions, grounds for denying a license, reprimanding a licensee, suspending or revoking a license, or imposing a penalty against a licensee; establishing certain notice and hearing provisions; establishing the State Board of Common Ownership 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 Department 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; requiring the Department to adopt certain regulations on or before a certain date; requiring common ownership community managers to be licensed on or before a certain date; defining certain terms; and generally relating to the State Board of Common Ownership Community Managers and the regulation of common ownership 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  
Ownership 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 Rules.

**Senate Bill 825 – Senators Currie, Raskin, and Simonaire**

AN ACT concerning

**Education – Development and Review of Content Standards for Chess  
Instruction**

FOR the purpose of authorizing the State Department of Education to develop and review content standards for chess instruction in public schools; authorizing

county boards of education to implement certain instruction in certain schools under certain circumstances; and generally relating to the implementation of chess instruction in the public schools in the State.

BY adding to

Article – Education

Section 4–111.1

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 826 – Senator Mathias**

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 Rules.

### **Senate Bill 827 – Senator Astle**

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 Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 670 – Senator Rosapepe**

AN ACT concerning

**Task Force on Solar Hot Water Systems in Prince George’s County**

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

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 711 – Senator Klausmeier**

AN ACT concerning

**Transportation – Required Security – Rental Vehicles**

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

Read and ordered journalized.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 10, 2011

**District Court, Baltimore City (District 1)**

1. Karen Friedman District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from July 30, 2010

**State, Secretary of**

2. John P. McDonough District 24  
4403 Woodgate Way  
Bowie, MD 20720

Secretary of State; reappointed to serve a term concurrent with the Governor to expire on January 21, 2015

**Architects, State Board of**

3. Magda C. Westerhout District 41  
10 Longwood Road  
Baltimore, MD 21210

Member of the State Board of Architects; appointed to serve remainder of a term of five years from July 1, 2010

**Assistive Technology Loan Program Board of Directors**

4. Joshua L. Friedman, Esq. District 41  
3022 Temple Gate Road  
Baltimore, MD 21209

Member of the Assistive Technology Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Blind Industries and Services of Maryland, Board of Trustees of**

5. Carolyn Hess Johnson, Esq. District 35  
2700 Mercer Drive  
Baldwin, MD 21013

Member of the Board of Trustees of Blind Industries and Services of Maryland; appointed to serve remainder of a term of three years from July 1, 2008

**Canal Place Preservation and Development Authority**

6. John F. Bowman, II, Ph.D. District 1  
14108 Royal Oak Drive, S.W.  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2009

**Chesapeake Conservation Corps Program Board**

7. Lisa Toni Clark District 4  
6151 South Steamboat Way  
New Market, MD 21774

Member of the Chesapeake Conservation Corps Program Board; appointed to serve a term to expire June 30, 2015

8. Maureen K. Eccleston District 43  
6014 Bellona Avenue  
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Member of the Chesapeake Conservation Corps Program Board; appointed to serve a term to expire June 30, 2013

9. Amy Owsley District 37  
304 Elm Avenue  
Easton, MD 21601

Member of the Chesapeake Conservation Corps Program Board; appointed to serve a term to expire June 30, 2012

10. Robert L. Wallace  
6360 Guilford Road  
Clarksville, MD 21029
- District 13

Member of the Chesapeake Conservation Corps Program Board; appointed to serve a term to expire June 30, 2015

### **Clean Energy Center, Board of Directors for Maryland**

11. George E. Ashton, III  
530 Anderson Avenue  
Rockville, MD 20850
- District 17

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve remainder of a term to expire June 30, 2012

### **Consumer Council**

12. Kendra Watts Abaidoo  
3319 Sequoia Avenue  
Baltimore, MD 21215
- District 41

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

13. Jessica R. Contreras  
3706 Delverne Road  
Baltimore, MD 21218
- District 43

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

### **Contract Appeals, Maryland State Board of**

14. Ann Marie Doory  
112 Taplow Road  
Baltimore, MD 21212–3312
- District 43

Member of the Maryland State Board of Contract Appeals; appointed to serve remainder of a term of five years from February 1, 2009



**Criminal Injuries Compensation Board**

15. Cynthia A. Pease District 33  
137 Clarence Avenue  
Severna Park, MD 21146

Member of the Criminal Injuries Compensation Board; appointed to serve remainder of a term of five years from July 1, 2010

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

16. Ann C. Black District 17  
16 Clemson Court  
Rockville, MD 20850

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2010

17. Dakota Burgess District 41  
3605 W. Saratoga Street  
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October

18. Lisa E. (Flynn) Brinks District 3  
8100 Glendale Drive  
Frederick, MD 21702

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2009

19. Sara K. Muempfer District 10  
36 North Prospect Avenue  
Catonsville, MD 21228

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2008

20. Robin Underwood District 9  
3181 Pine Orchard Lane, #202  
Ellicott City, MD 21042

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2007 and a term of three years from October 1, 2010

**School for the Deaf, Board of Trustees of the Maryland**

21. Laurie M. Corcoran District 37  
32655 Meadowlark Lane  
Easton, MD 21601

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2008

22. John P. Ertel, Ph.D. District 30  
16 Sharpe Road  
Annapolis, MD 21409

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2008

23. Ricardo A. Hernandez District 39  
9828 Canal Road  
Montgomery Village, MD 20886

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve remainder of a term of six years from October 1, 2008

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

- S-1. Amy L. Bopp District 10  
5211 Old Frederick Road  
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

- S-2. Cheri Dowling District 9  
1205 Ed Glenn Drive  
Woodbine, MD 21797

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

S-3. John J. Rouse District 17  
781 Kimberly Court West  
Gaithersburg, MD 20878

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
reappointed to serve a term of three years from October 1, 2010

S-4. Jennifer R. Whitcomb District 37  
9275 Tournament Drive  
Delmar, MD 21875

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
reappointed to serve a term of three years from October 1, 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 11, 2011.

The motion was adopted.

### QUORUM CALL

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

(See Roll Call No. 100)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #3

**Senate Bill 32 – Senator Reilly**

AN ACT concerning

**Agriculture – Practice of Veterinary Medicine – Exclusions**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 101)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 102)

The Bill was then sent to the House of Delegates.

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tree Expert License – Application and Renewal**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 103)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 104)

The Bill was then sent to the House of Delegates.

**Senate Bill 91 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

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

Affirmative – 46      Negative – 0      (See Roll Call No. 105)

The Bill was then sent to the House of Delegates.

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

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

Affirmative – 46      Negative – 0      (See Roll Call No. 106)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #4**

**Senate Bill 17 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Sentence Review – Review Panel**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 107)

The Bill was then sent to the House of Delegates.

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Commercial Law – Sales of Unpackaged Cigarettes – Prohibitions and Penalties**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 108)

The Bill was then sent to the House of Delegates.

**Senate Bill 88 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Insurance Administration – Program Evaluation**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 109)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 110)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 111)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 112)

**ADJOURNMENT**

At 10:36 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 11, 2011.

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**Annapolis, Maryland**  
**Friday, February 11, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:06 A.M.

Prayer by Reverend Karen Bunnell, Elkton United Methodist Church, guest of Senator Pipkin.

(See Exhibit A of Appendix III)

The Journal of February 10, 2011 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Miller and Jones–Rodwell be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 115)

**INTRODUCTION OF BILLS**

**Senate Bill 828 – Senator Astle**

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 Rules.

**Senate Bill 829 – Senators Ferguson and Pinsky**

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; providing for the termination of this Act; 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 Rules.

**Senate Bill 830 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Extension**

FOR the purpose of extending certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualifying employees facing certain employment barriers.

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, and Chapter 252 of the Acts of the General Assembly of 2010

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, and Chapter 252 of the Acts of the General Assembly of 2010

Section 4 and 6

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

**Senate Bill 831 – Senator Currie**

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 Rules.

**Senate Bill 832 – Senator Stone**

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.

**Senate Bill 833 – Senator Stone**

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 Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 770 – Senators Conway and Montgomery**

AN ACT concerning

**Prescription Drug Repository Program – Disposal of Prescription Drugs and Medical Supplies**

Reassigned to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**SPECIAL ORDERS**

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

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 10, 2011

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Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from July 30, 2010

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Secretary of State; reappointed to serve a term concurrent with the Governor to expire on January 21, 2015

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Member of the State Board of Architects; appointed to serve remainder of a term of five years from July 1, 2010

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Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
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a term of three years from October 1, 2010

### **School for the Deaf, Board of Trustees of the Maryland**

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reappointed to serve a term of six years from October 1, 2008



23. Ricardo A. Hernandez District 39  
9828 Canal Road  
Montgomery Village, MD 20886

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve remainder of a term of six years from October 1, 2008

### Statewide Nominees

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### Deaf and Hard of Hearing, Maryland Advisory Council for the

- S-1. Amy L. Bopp District 10  
5211 Old Frederick Road  
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

- S-2. Cheri Dowling District 9  
1205 Ed Glenn Drive  
Woodbine, MD 21797

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

- S-3. John J. Rouse District 17  
781 Kimberly Court West  
Gaithersburg, MD 20878

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

- S-4. Jennifer R. Whitcomb District 37  
9275 Tournament Drive  
Delmar, MD 21875

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2010

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 116)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 117)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #5**

##### **Senate Bill 46 – Senator Conway**

AN ACT concerning

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

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

Affirmative – 33      Negative – 11      (See Roll Call No. 118)

The Bill was then sent to the House of Delegates.

##### **Senate Bill 76 – Senator Montgomery**

AN ACT concerning

##### **State Board of Podiatric Medical Examiners – Volunteer Podiatrist License**

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

Affirmative – 44      Negative – 0      (See Roll Call No. 119)

The Bill was then sent to the House of Delegates.

**Senate Bill 84 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

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

Affirmative – 44      Negative – 0      (See Roll Call No. 120)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 44      Negative – 0      (See Roll Call No. 121)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 44      Negative – 0      (See Roll Call No. 122)

The Bill was then sent to the House of Delegates.

**Senate Bill 108 – Senator Garagiola**

AN ACT concerning

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

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

Affirmative – 44      Negative – 0      (See Roll Call No. 123)

The Bill was then sent to the House of Delegates.

**Senate Bill 117 – Senators Glassman and Rosapepe**

AN ACT concerning

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

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

Affirmative – 44      Negative – 0      (See Roll Call No. 124)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 125)

**ADJOURNMENT**

At 11:40 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 14, 2011, in honor of Ernie Tyler and his family.

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**Annapolis, Maryland**  
**Monday, February 14, 2011**  
**8:00 P.M. Session**

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The Senate met at 8:08 P.M.

Prayer by Reverend Ken Valentine, Wesley Grove United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 11, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 128)

**GENERAL ASSEMBLY RESOLUTIONS**

For Leningrad Region Legislative Assembly Deputies:

Yuriy Terentyev

Konstantin Ostrikov

Tatyana Smolina

Tatyana Tolstova

Read and adopted by roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 129)

**INTRODUCTION OF BILLS**

**Senate Bill 834 – Senator Jones–Rodwell**

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 a 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 Rules.

**Senate Bill 835 – Senator Jones–Rodwell**

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 Rules.

**Senate Bill 836 – Senator McFadden**

AN ACT concerning

**Baltimore City – 45th District – Alcoholic Beverages – Class C Licenses**

FOR the purpose of authorizing the Board of Liquor License Commissioners for Baltimore City to issue a Class C beer, wine and liquor license in the 45th alcoholic beverages district; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(a), (b), (c), and (d)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(d)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 837 – Senators Gladden, Raskin, Benson, Conway, Currie, DeGrange, Ferguson, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Reilly**

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 Rules.

### **Senate Bill 838 – Senator Gladden**

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 Rules.

### **Senate Bill 839 – Senator Gladden**

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 Rules.

### **Senate Bill 840 – Senator Gladden**

AN ACT concerning

#### **Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing**

FOR the purpose of altering the requirements for certain property owners to satisfy certain lead risk reduction standards relating to certain changes in occupancy in certain properties; requiring certain lead risk reduction standards to be performed in accordance with certain requirements; making certain conforming changes; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–815(a) and (b), 6–816, and 6–819(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 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 Rules.

### **Senate Bill 841 – Senator Pugh**

AN ACT concerning

#### **Arts and Entertainment Districts – Artistic Work – Design**

FOR the purpose of altering the definition of “artistic work” for the purpose of designating an arts and entertainment district to include original and creative work that falls into the category of original design; and generally relating to the definition of artistic work.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 4-701(b)(2)(ix)  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

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

**Senate Bill 842 – Senator Montgomery**

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 Rules.

**Senate Bill 843 – Senators Kelley, Garagiola, Mathias, Middleton, and Pugh**

AN ACT concerning

**Maryland Medical Assistance Program – Eligibility Determinations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to send a certain notice of a right to appeal if the Department does not render an eligibility determination for an applicant for benefits and services from the Maryland Medical Assistance Program within a certain period of time; requiring the Department to render an eligibility determination for an applicant at a certain hearing under certain circumstances; requiring the Department to provide a certain applicant with a detailed list of certain information; requiring the Department to give an applicant a certain period of time to provide certain information before rendering an eligibility determination; requiring the Department to render an eligibility determination for an applicant within 30

days after receiving certain information; requiring the Department and the Department of Human Resources to submit certain budget estimates in a certain manner; providing that a certain budget estimate shall be considered a certain estimate prescribed by law; requiring the Department and the Department of Human Resources to report certain information to the General Assembly on or before the first day of each month; defining a certain term; and generally relating to eligibility determinations for the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15–147

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 844 – Senator Stone**

AN ACT concerning

#### **State Retirement and Pension System – Transfer of Service Credit**

FOR the purpose of providing that certain members of the Employees' Pension System may transfer certain service credit from the State Contributory Law Enforcement Officers' Pension System in a certain manner; requiring that certain members of the Employees' Pension System who transfer certain service credit from the State Contributory Law Enforcement Officers' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of certain provisions of this Act; and generally relating to the transfer of service credit for members of the Employees' Pension System.

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

### **Senate Bill 845 – Senator Dyson**

AN ACT concerning

#### **Health Occupations – Pharmacists – Administration of Vaccinations, Epinephrine, and Diphenhydramine**

FOR the purpose of authorizing pharmacists to administer certain vaccinations and, under certain circumstances, epinephrine and diphenhydramine to certain individuals in accordance with certain regulations if certain requirements are met; requiring the State Board of Pharmacy to set certain fees; and generally

relating to the administration of vaccinations, epinephrine, and diphenhydramine by pharmacists.

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 Rules.

**Senate Bill 846 – Senators Pinsky, Benson, Ferguson, Frosh, Kelley, Madaleno, Manno, Montgomery, Raskin, and Rosapepe**

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 Rules.

**Senate Bill 847 – The President (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 Rules.

**Senate Bill 848 – The President (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 Rules.

### **Senate Bill 849 – The President (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 Rules.

**Senate Bill 850 – Senator Middleton**

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.

**Senate Bill 851 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Vehicle Laws – Overtaking and Passing School Vehicles –  
School Bus Monitoring Cameras**

FOR the purpose of authorizing the Frederick 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 to 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 a moving violation for certain purposes, may be treated as a parking violation for certain purposes, and may 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 in Frederick County 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 adding to  
Article – Transportation  
Section 21–706.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 852 – Senator Astle**

AN ACT concerning

#### **Motorcycles – Protective Equipment – Penalty**

FOR the purpose of altering the penalty for certain violations of law relating to the failure to use protective headgear and other protective equipment while operating or riding on a motorcycle; and generally relating to motorcycles and protective equipment.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1306(a) through (c) and 27–101(a) and (b)  
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 Rules.

### **Senate Bill 853 – Senator Getty**

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 Rules.

**Senate Bill 854 – Senator Ferguson**

AN ACT concerning

**Baltimore City – Board of Liquor License Commissioners – Issuance of Licenses**

FOR the purpose of eliminating a prohibition against sales for off-premises consumption for certain restaurants to obtain a Class B beer, wine and liquor license in a certain location in Baltimore City; eliminating a prohibition against the Board of Liquor License Commissioners for Baltimore City issuing an alcoholic beverages license or transferring a license into certain locations in Baltimore City; and generally relating to the issuance of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 855 – Senator Shank**

AN ACT concerning

**Local Correctional Facilities – Inmates – Payment for Treatment of Preexisting Condition**

FOR the purpose of establishing that a county is not responsible for the cost of certain medical care for an inmate associated with a certain preexisting condition or an injury that is self-inflicted during the inmate's commitment in the facility; establishing that the cost of medical treatment for a preexisting condition or self-inflicted injury is the responsibility of the inmate; establishing that the managing official in consultation with a qualified health care professional shall determine the manner in which certain care is provided for the inmate; establishing that, if a county incurs certain expenses in providing medical care for a preexisting condition or a self-inflicted injury in order to comply with a certain legal mandate, the county is entitled to payment from the State without regard to certain limitations; and generally relating to payment for treatment of a preexisting medical condition of an inmate in a local correctional facility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–405 and 11–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 856 – Senator Conway**

AN ACT concerning

#### **Maryland Higher Education Commission – Review of Program Proposals**

FOR the purpose of requiring the Maryland Higher Education Commission to review certain program proposals through certain processes, including certain testimony and the weighing of evidence; requiring the Commission to adopt certain regulations that provide for the receipt of certain comments and objections under certain circumstances; altering certain circumstances under which the Commission must act on certain program proposals before a proposal is deemed approved; requiring the Commission to make certain determinations through certain processes, including receiving certain testimony and the weighing of evidence; requiring the Commission to adopt certain regulations; repealing a certain provision that states that a certain decision is final and not subject to further appeal or review; and generally relating to the review of program proposals by the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–206(b) and (e)(6) and 11–206.1(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 11–206(e)(1) and (2) and 11–206.1(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 857 – Senator Ramirez**

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 Rules.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #2**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 145 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Motor Fuel Tax – Personal Liability – Corporations, Limited Liability Companies, and Limited Liability Partnerships**

**SB0145/159935/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 145  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Corporations,”; in line 3, strike the comma; in lines 4 and 5, strike “officers of corporations, members” and substitute “persons who exercise certain control over the fiscal management”; in line 5, strike “, partners of” and substitute “and”; and in line 6, strike “, and other individuals”.

AMENDMENT NO. 2

On page 2, in lines 29 and 32, in each instance, strike the bracket.

On pages 2 through 4, strike beginning with “**IF**” in line 32 on page 2 down through “**PARTNERSHIPS.**” in line 30 on page 4 and substitute:

**“(F) IF A LIMITED LIABILITY COMPANY, OR LIMITED LIABILITY PARTNERSHIP, INCLUDING A LIMITED PARTNERSHIP REGISTERED AS A LIMITED LIABILITY LIMITED PARTNERSHIP, IS REQUIRED TO PAY THE MOTOR FUEL TAX AND INTEREST AND PENALTIES ON THE TAX, PERSONAL LIABILITY FOR THE TAX AND INTEREST AND PENALTIES ON THE TAX EXTENDS TO ANY PERSON WHO EXERCISES DIRECT CONTROL OVER THE FISCAL MANAGEMENT OF THE LIMITED LIABILITY COMPANY OR LIMITED LIABILITY PARTNERSHIP.”**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 157 – Senators Colburn and Pipkin**

AN ACT concerning

**Code Home Rule Counties – Development Excise Tax for School Construction  
– Applicability**

**SB0157/169334/1**



BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 157  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Code” insert “Eastern Shore”; in line 5, after “county” insert “on the Eastern Shore”; and in the same line, strike “new”.

AMENDMENT NO. 2

On page 1, in line 19, strike “NEW”; in line 21, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (6) OF THIS SUBSECTION, THE”; in line 22, strike the brackets; and strike beginning with “NEW” in line 22 down through “UNIT” in line 23.

AMENDMENT NO. 3

On page 2, strike beginning with “OR” in line 13 down through “UNIT” in line 14; in line 17, after “(6)” insert “(I)”; in line 18, strike “lot OR” and substitute “RESIDENTIAL”; in line 19, strike “(7)” and substitute “(II)”; in the same line, strike “THE” and substitute “ANY”; strike beginning with “UNDER” in line 19 down through “IMPOSED” in line 20; and in line 20, after “PROJECT” insert “UNDER THIS SECTION SHALL BE IMPOSED”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPEECH**

**Lincoln Day Address**

by Senator Edward Reilly

Mr. President My fellow Senators, My wife Cathy, Ladies and Gentleman.

I am honored to be asked to share with you tonight some of my thoughts, and those of my staff, concerning a historical Icon, a political leader, and a true patriot of our country, Abraham Lincoln.

I would like to focus on a familiar and powerful speech, the Gettysburg address. Lincoln and this speech has been analyzed, reviewed, praised, criticized, and memorized since 1863. I hope to do it honor this evening with a reading and reflection.

**Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.**

**Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that THAT nation might live. It is altogether fitting and proper that we should do this.**

**But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom— and that government of the people, by the people, for the people, shall not perish from the earth.**

When Abraham Lincoln wrote this speech on November 19, 1863, while reportedly traveling on a train from Baltimore through Maryland, bound for the battlefield of Gettysburg, he was deep in the struggle of a war that was not going well for him or the Union. He was about to dedicate a battlefield where an estimated 7,000 American men and boys had perished. His one goal through his entire Presidency was to preserve the Union at all costs. In his speech, which was given on a small section of land off to the side of the great battlefield where the battle had raged for 3 days and nights, he took no credit for the North's victory. Instead, he remembered our nation and the men who gave their lives that the union might live.

Opening the speech with the phrase “Four score and seven years ago” the people listening to President Lincoln on that Gettysburg battlefield instantly knew that he was referring to the men of the Second Continental Congress, Thomas Jefferson and the Declaration of Independence. When these patriots signed their names to the Declaration they signed away their livelihoods, their freedoms and their lives. They

gave up all that they cherished on an experiment of democracy for a new union of States.

Lincoln carried the weight of the dissolved union throughout his presidency, as he carried the weight of an enslaved people within his country. He did believe, as Thomas Jefferson had written, that “all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.” This was a concept that was written into our Declaration of Independence but sadly disregarded when the Constitution was ratified in 1787.

Nine months before the speech at Gettysburg on Jan. 1, 1863, President Lincoln issued the Emancipation Proclamation, declaring that slaves in states that were in rebellion of the United States were free. This was a bold move by a President, the Commander in Chief of the Army and Navy. This wasn't an act of Congress. This was an act of just one man who saw the emancipation of the slave population as a way to suppress the war. The Act of Congress, with the passing of the Thirteenth Amendment to the Constitution which abolished slavery, would come on December 6, 1865. This was 8 months after the assassination of President Lincoln. In death, Lincoln fulfilled the words that Jefferson had written in his Declaration of Independence.

As important as the Emancipation Proclamation is to our Country's history, Lincoln never lost sight that the Union must be preserved. This was the predominate theme throughout Lincoln's presidency.

The Battle of Gettysburg proved to be the turning point of the Civil War, but Lincoln had no way of knowing this on that cold November day in 1863. His staunch stand that the Union of the United States be preserved echoed in his closing sentence of this speech. Lincoln respectfully requested that day on the battlefield “that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion – that we here highly resolve that these dead shall not have died in vain; that this nation shall have a new birth of freedom; and that this government of the people, by the people, and for the people, shall not perish from the earth.” Like the men who died on the battlefield of Gettysburg in order to preserve the union, Lincoln also gave the ultimate sacrifice to our Country so that it may remain a Union. Abraham Lincoln did preserve the Union that Thomas Jefferson and the other 55 signers of the Declaration of Independence agreed to “mutually pledge to each other our lives, our fortunes and our sacred honor.”

We will continue to honor Abraham Lincoln on this day and in the future, and as Senators in this historic chamber, under the watchful eye of the four Maryland signers of the Declaration of Independence: Samuel Chase, Charles Carroll of Carrollton, William Paca, and Thomas Stone, may we hold sacred our duty, may we uphold our State and continue to uphold the union of the United States of America. Thank you.

**QUORUM CALL**

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

(See Roll Call No. 130)

### **ADJOURNMENT**

At 8:39 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 15, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 15, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Bishop Willard Saunders, “Created For So Much More Worship Center”, guest of Senator Ferguson.

(See Exhibit A of Appendix III)

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

On motion of Senator Garagiola it was ordered that Senator Frosh be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 132)

**INTRODUCTION OF BILLS**

**Senate Bill 858 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Calvert County – North Beach Public Works Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of North Beach for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 859 – Senator King**

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 Rules.

**Senate Bill 860 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Dr. Bob’s Place – A Hospice for Children**

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

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 5 – Senators Klausmeier, Rosapepe, and Stone**

AN ACT concerning

**Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements**

**SB0005/804535/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 5

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “coverage;” insert “providing that certain provisions of this Act do not apply to certain physicians;”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

**“(A) THIS SECTION DOES NOT APPLY TO:**

**(1) A PHYSICIAN WHO PROVIDES SERVICES WHILE ON CALL FOR A HOSPITAL THAT IS SUBJECT TO THE FEDERAL EMERGENCY MEDICAL TRANSFER AND ACTIVE LABOR ACT;**

**(2) A PHYSICIAN WHO IS EMPLOYED BY THE FEDERAL GOVERNMENT TO PRACTICE MEDICINE AND TO WHOM THE PROVISIONS OF THE FEDERAL TORT CLAIMS ACT APPLY, WHILE PRACTICING WITHIN THE SCOPE OF THE PHYSICIAN’S EMPLOYMENT BY THE FEDERAL GOVERNMENT; OR**

**(3) A PHYSICIAN WHO IS EMPLOYED BY THE STATE GOVERNMENT TO PRACTICE MEDICINE AND TO WHOM THE PROVISIONS OF THE MARYLAND TORT CLAIMS ACT APPLY, WHILE PRACTICING WITHIN THE SCOPE OF THE PHYSICIAN’S EMPLOYMENT BY THE STATE GOVERNMENT.”;**

and in line 22, strike **“(A)”** and substitute **“(B)”**.

On page 2, in line 7, strike **“(B)”** and substitute **“(C)”**; in the same line, strike **“(A)”** and substitute **“(B)”**; and in line 19, strike **“(C)”** and substitute **“(D)”**.

The preceding 2 amendments were read and adopted.

Senator Zirkin moved, duly seconded, to make the Bill and Report a Special Order for February 16, 2011.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 92 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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



**SB0092/544039/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 92

(First Reading File Bill)

On page 2, in lines 29 and 32, in each instance, strike “the PeakRewards program” and substitute “public service company demand response programs”.

On page 3, in line 1, strike “utility” and substitute “service”; in line 2, strike “utility” and substitute “public service company”; in line 3, strike “PeakRewards” and substitute “demand response”; and in lines 5 and 9, in each instance, strike “the PeakRewards program” and substitute “public service company demand response programs”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 104 – Senators King, Benson, DeGrange, Ferguson, Forehand, Kasemeyer, Madaleno, Montgomery, Peters, Pinsky, Rosapepe, Stone, and Young**

AN ACT concerning

**Judith P. Hoyer Early Child Care and Education Enhancement Program – Annual Report**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Licensing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

**SB0159/824335/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 159

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Simonaire, and Ferguson”.

The preceding amendment was read only.

Senator Colburn moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4**

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

**Senate Bill 51 – Senators Brochin and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant  
Confidentiality and Eligibility**

**SB0051/648377/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 51

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “offenses” insert “within a certain time period”.

AMENDMENT NO. 2

On page 2, in line 3, after the third “A” insert “:

**(1)**”;

and in line 5, after “ARTICLE” insert “;

**(2) VICTIM OF STALKING UNDER § 3-802 OF THE CRIMINAL LAW  
ARTICLE; OR**

**(3) PERSON ELIGIBLE FOR RELIEF UNDER § 4-501 OF THE  
FAMILY LAW ARTICLE**”.

AMENDMENT NO. 3

On page 3, in line 9, strike “EVER”; in the same line, after “CONVICTED” insert “**, WITHIN THE LAST 15 YEARS,**”; in line 13, strike “§ 3-307,”; and in the same line, strike “§ 3-321,”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON FINANCE REPORT #3**

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

**Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Health Insurance – Evaluation of Quality of Care and Performance of Health Benefit Plans**

**SB0056/637175/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 56  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “certain” insert “categories of”.

AMENDMENT NO. 2

On page 2, in line 4, strike “**A HEALTH**” and substitute “AN”; and in lines 6 and 7, strike “**THIS ARTICLE OR**”.

AMENDMENT NO. 3

On page 5, in line 12, strike “**HEALTH benefit plans**” and substitute “CATEGORIES OF HEALTH BENEFIT PLANS AS DETERMINED BY THE COMMISSION”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 67 – Senators Edwards and Mathias**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Small Rural Electric  
Cooperative – Prohibition****SB0067/427572/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 67

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “prohibiting funds in a certain account in” and substitute “providing that a certain provision of law relating to the use of certain proceeds received by”; in line 5, strike “from being used to offset electricity rates of” and substitute “and credited to a certain account does not apply to”; and in line 6, after “cooperative;” insert “requiring, as approved by the Public Service Commission, certain small rural electric cooperatives to distribute certain moneys held in a certain account as of a certain date to certain organizations;”.

AMENDMENT NO. 2

On page 3, in line 3, strike “**THE RATE RELIEF ACCOUNT ESTABLISHED UNDER SUBSECTION**” and substitute “**SUBSECTION**”; and strike beginning with “**MAY**” in line 4 down through the first “**OF**” in line 5 and substitute “**DOES NOT APPLY TO**”.

AMENDMENT NO. 3

On page 3, after line 6, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, as approved by the Public Service Commission, each small rural electric cooperative, as defined in § 1–101 of the Public Utilities Article, shall distribute to one or more organizations that provide assistance to low income residents in the small rural electric cooperative’s service territory any moneys held as of the effective date of this Act in an escrow account for small rural electric cooperative residential customers established in”

connection with § 9–20B–05(g)(2) of the State Government Article, as in effect before the effective date of this Act.”;

in line 7, strike “2.” and substitute “3.”; and in line 8, strike “October” and substitute “June”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 144 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Mental Hygiene Administration Facilities – Repeal of Provisions that Relate to Closed Facilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 179 – The President (By Request – Administration) and Senators Klausmeier, Astle, Garagiola, and Rosapepe**

AN ACT concerning

**Electric Companies – Demand Response Pilot Program for Charging Electric Vehicles**

**SB0179/317879/1**

BY: Finance Committee

AMENDMENT NO. 1

On page 1, in line 2, strike “Demand Response”; in lines 5 and 9, in each instance, strike “demand response”; in line 6, after the second “the” insert “pilot”; and in line 21, strike “**DEMAND RESPONSE**”.

AMENDMENT NO. 2

On page 2, in line 14, strike “**OR**”; and in line 15, after “**(IV)**” insert “**DEMAND RESPONSE PROGRAMS; OR**

**(V)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 202 – Senators Middleton, Kasemeyer, Astle, Currie, Ferguson, King, Madaleno, Manno, Mathias, McFadden, Montgomery, Pugh, Raskin, and Zirkin**

AN ACT concerning

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

**SB0202/957474/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 202

(First Reading File Bill)

In the sponsor line, strike “and Zirkin” and substitute “Zirkin, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, and Muse”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

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

**Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Courts – Natural Resources Violations – Jurisdiction**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Colburn moved, duly seconded, to make the Bill and Report a Special Order for February 17, 2011.

The motion was adopted.

### **QUORUM CALL**

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

(See Roll Call No. 133)

### **ADJOURNMENT**

At 11:00 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 16, 2011.



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**Annapolis, Maryland**  
**Wednesday, February 16, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:16 A.M.

Prayer by Rabbi Binyamin Biber, Machar—the Washington D.C. Congregation for Secular Humanistic Judaism, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of February 15, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 136)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 154 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Michelle M. Shearer  
Frederick County  
in recognition of

being selected as the 2011 Maryland Teacher of the Year. We applaud your  
outstanding contributions to Maryland students and for spending this year as an  
education voice in policy and instruction in our State. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 137)

**Senate Resolution No. 131 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Joshua A. Cook  
John Humbird Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Allegany County. We applaud your outstanding  
contributions to Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 132 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Erin C. Sullivan  
Glen Burnie High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for  
Anne Arundel County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 133 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Brian Rainville  
Commodore John Rogers Elementary/Middle School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Baltimore City. We applaud your outstanding  
contributions to Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 134 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ralene Jacobson  
Franklin Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Baltimore County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 135 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Doris L. O'Donnell  
Dowell Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Calvert County. We applaud your outstanding contributions to Maryland students.  
Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 136 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Janna R. Michaluk  
Colonel Richardson High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Caroline County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 137 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Sharon Lilly Adedeji  
Century High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Carroll County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 138 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Nicole Morris–Stauffer  
Leeds Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for  
Cecil County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 139 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Mark Howell  
Westlake High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Charles County. We applaud your outstanding contributions to Maryland  
students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 140 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland

offers its sincerest congratulations to  
Crystal Owens  
Choptank Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for Dorchester County. We applaud  
your outstanding contributions to Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 141 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Robyn R. Nazelrod  
Yough Glades Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Garrett County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 142 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Lisa C. Mullen  
North Harford Middle School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Harford County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 143 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Matthew R. Kinloch  
Glenelg High School

in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Howard County. We applaud your outstanding contributions to Maryland  
students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 144 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Joseph M. Evans  
Kent County High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Kent County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 145 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
James R. Schafer  
Montgomery Blair High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for Montgomery County. We  
applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

**Senate Resolution No. 146 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Tiffany Doster  
Barack Obama Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for

Prince George's County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 147 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kristin Ann Hurlock  
Kent Island High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for  
Queen Anne's County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 148 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Arlene Sachs  
Leonardtown Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for  
St. Mary's County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 149 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Tanya D. Briddell  
Washington High School & Academy  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Somerset County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 150 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jaclyn Spiker  
Easton Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Talbot County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 151 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Marjorie Kellman  
Washington County Technical High School  
in recognition of  
being selected the 2010–2011 Teacher of the Year for Washington County. We  
applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.

**Senate Resolution No. 152 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Lisa E. King  
Delmar Elementary School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Wicomico County. We applaud your outstanding contributions to Maryland  
students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2011.



**Senate Resolution No. 153 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Angela Landreth  
Snow Hill Middle School  
in recognition of  
being selected the 2010–2011 Teacher of the Year  
for Worcester County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 16th day of February 2011.

The preceding 23 Senate Resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 138)

**INTRODUCTION OF BILLS**

**Senate Bill 861 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Astle, Mathias, Middleton, Benson, Forehand, King, Madaleno, Montgomery, Raskin, Rosapepe, Young, and Zirkin**

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 Rules.

**Senate Bill 862 – Senator Pinsky**

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.

**Senate Bill 863 – Senator Simonaire**

AN ACT concerning

**Environment – Exemption from Noise Restrictions – Marinas and Boatyards**

FOR the purpose of adding an exemption to the list of exemptions from the authority of the Department of the Environment to adopt certain noise restrictions for the noise from equipment used to store and maintain certain vessels during certain times at a marina or boatyard; and generally relating to the authority of the Department of the Environment to restrict noise.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 3–401(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 3–401(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 864 – Senators Brinkley and Shank**

AN ACT concerning

**Sheriffs and Deputy Sheriffs – Practice of Law**

FOR the purpose of allowing an individual who has been admitted to the Maryland Bar to practice law in one county while employed as a sheriff or deputy sheriff in a different county; and generally relating to the practice of law by sheriffs and deputy sheriffs.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 10–601(a)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 10–603  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

#### **Senate Bill 865 – Senator Garagiola**

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.

#### **THE COMMITTEE ON FINANCE REPORT #4**

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

##### **Senate Bill 143 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

##### **Home Inspectors – Records – Retention Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 147 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Continuing Professional Competency**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**LAID OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0159/824335/1`**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 159

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Simonaire, and Ferguson”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0159/293820/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 2, in line 25, strike “SHALL” and substitute “MAY”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 12      Negative – 34      (See Roll Call No. 139)

Senator Colburn moved, duly seconded, to make the Bill a Special Order for February 17, 2011.

The motion was adopted.

**THE COMMITTEE ON RULES REPORT #1**

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 454 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Curative Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 455 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

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

**Senate Bill 5 – Senators Klausmeier, Rosapepe, and Stone**

AN ACT concerning

**Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Zirkin moved, duly seconded, to make the Bill and Report a Special Order for February 17, 2011.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 140)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #6****Senate Bill 145 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Motor Fuel Tax – Personal Liability – ~~Corporations~~, Limited Liability  
Companies, and Limited Liability Partnerships**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 141)

The Bill was then sent to the House of Delegates.

**Senate Bill 157 – Senators Colburn and Pipkin**

AN ACT concerning

**Eastern Shore Code Home Rule Counties – Development Excise Tax for  
School Construction – Applicability**

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

Affirmative – 45      Negative – 1      (See Roll Call No. 142)

The Bill was then sent to the House of Delegates.

**ANNOUNCEMENT**

Senator Klausmeier announced that on February 15, 2011 the Committee on Rules was the first committee to use the newly renovated Caucus Room in the State House.

**QUORUM CALL**

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

(See Roll Call No. 143)

**ADJOURNMENT**

At 11:17 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 17, 2011.



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**Annapolis, Maryland**  
**Thursday, February 17, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:14 A.M.

Prayer by Reverend Chip Wright, Calvary United Methodist Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of February 16, 2011 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 146)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 205 – Senators Brochin, Klausmeier, and Montgomery:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Students of Towson University  
in recognition of  
your 12th successful Tiger Pride Advocacy Day. We applaud your efforts and  
gratefully acknowledge your  
spirit, enthusiasm and dedication to your school.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 17th day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 147)

**INTRODUCTION OF BILLS****Senate Bill 866 – Senator Conway**

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 Rules.

**Senate Bill 867 – Senator Astle**

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 Rules.

**Senate Bill 868 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Women’s Veteran’s 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 A Step Forward,

Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 869 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Chesterwye Center –  
Jessie’s House**

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 Chesterwye Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 870 – Senator Astle**

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County – Warrants**

FOR the purpose of authorizing certain warrant officials to certify to the Comptroller the existence of an outstanding warrant; requiring the Comptroller to withhold the Maryland income tax refund of an individual with an outstanding warrant under certain circumstances; providing that certain provisions of law apply only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring a certain certification to contain certain information; requiring the Comptroller, under certain circumstances, to withhold an individual’s income tax refund and notify the individual of a certain certification; providing that the Comptroller may not pay a Maryland income tax refund until the warrant official notifies the Comptroller that the warrant is no longer outstanding; defining certain terms; providing for the termination of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to  
Article – Tax – General

Section 13–935 through 13–938 to be under the new part “Part VII. Income Tax Refund Withholding – Warrants”  
Annotated Code of Maryland  
(2010 Replacement Volume)

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

**Senate Bill 871 – Senators Manno, Forehand, Frosh, Garagiola, King, Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Orthodox Congregation of Silver Spring Preschool Building Repair**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$48,000, the proceeds to be used as a grant to the Board of Trustees of the Orthodox Congregation of Silver Spring, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 872 – Senators Jacobs and Pipkin**

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.

**Senate Bill 873 – Senator Pipkin**

AN ACT concerning

**Private Property Rights – Regulatory Infringement – Compensation**

FOR the purpose of giving an owner of private property a cause of action under certain circumstances against the Department of the Environment, the Department of Natural Resources, or the Department of Planning if the application of a regulation adopted by the agency infringes on a private property right; providing that the cause of action shall be filed in a certain court; providing for the sum that a private property owner may recover under a certain cause of action; requiring the award or judgment under a certain cause of action to be paid from certain funds and prohibiting payment from the General Fund; providing for the venue of a certain cause of action; establishing a certain statute of limitations; providing for the application of this Act; defining a certain term; and generally relating to the rights of private property owners.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–120  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 6–203(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY adding to

Article – State Government  
Section 12–601 through 12–604 to be under the new subtitle “Subtitle 6.  
Infringement on Private Property Rights”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 874 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Allegany County – Cumberland City Market**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Mayor and City Council of Cumberland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or

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

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

**Senate Bill 875 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Alcoholic Beverages – Baltimore County Executive and County Council of Baltimore County – License Fees**

FOR the purpose of repealing certain alcoholic beverages license fees in Baltimore County; authorizing the Baltimore County Executive and the County Council of Baltimore County to establish alcoholic beverages license fees within Baltimore County; and generally relating to the Baltimore County Executive and the County Council of Baltimore County regulating alcoholic beverages license fees within Baltimore County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 4–201(a)(2), 5–101(a)(1), 5–201(a)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–201(a)(1), 6–301(a)(1), 6–401(a)(1), 6–702(b), 7–101(b)(1)(i) and (d)(1)(i), 8–204(c), 8–204.1(c), 8–304(a), 8–404(a)(1), 8–404.1(a), (b), and (c) and 8–802(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–101(e), 5–201(e)(1), 5–301(e), 5–401(e)(1), 6–101(e), 6–201(e)(2), 6–301(e), 6–401(e)(2), 6–702(g), 7–101(b)(4) and (d)(4)(i), 8–204(e), 8–204.1(e), 8–304(d), 8–404(a)(5), 8–404.1(d), 8–601, and 8–802(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 4–201(b)(8) and 18–105

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 876 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Baltimore County – Miscellaneous Business Licenses – Fees**

FOR the purpose of authorizing the County Executive and County Council of Baltimore County to establish certain license fees that applicants are required to pay for acting as a cigarette retailer, for selling cigarettes at retail, for keeping a billiard table for commercial use, for doing certain construction business, for keeping a garage where motor vehicles are stored for a fee, for doing the business of cleaning or laundering, for doing business as a plumber or gas fitter, for operating a restaurant, for doing business as a trader, and for operating a chain store; and generally relating to business license fees in Baltimore County.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16–204(b)(1), 16–302, 17–504, 17–603, 17–803, 17–1103, 17–1504,  
17–1604, 17–1808(a), and 17–1809(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**Senate Bill 877 – Senator Astle**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Anne Arundel County –  
Annapolis Summer Garden Theatre Renovation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of the Annapolis Summer Garden Theatre, 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(K)

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

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 148 – Senator Currie**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Largo High School PTSA Track Renovation**

**SB0148/859835/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 148

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “2013” and substitute “2012”.

AMENDMENT NO. 2

On page 2, in lines 8 and 13, in each instance, strike “**2013**” and substitute “**2012**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 149 – Senator Currie**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Forestville Military Academy Track**



SB0149/799131/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 149  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “2013” and substitute “2012”.

AMENDMENT NO. 2

On page 2, in lines 7 and 13, in each instance, strike “**2013**” and substitute “2012”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #3  
February 17, 2011

**Clean Energy Center, Board of Directors for Maryland**

1. Eric D. Wachsman District 13  
9469 Lovat Road  
Fulton, MD 20759

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve remainder of a term to expire June 30, 2011

**Dietetic Practice, State Board of**

2. Margo Gladding District 10  
46 Holmehurst Avenue  
Catonsville, MD 21228

Member of the State Board of Dietetic Practice; appointed to serve remainder of a term of four years from July 1, 2010

3. Lauren I. Mirkin District 42  
2520 Willow Glen Drive  
Baltimore, MD 21209

Member of the State Board of Dietetic Practice; appointed to serve remainder of a term of four years from July 1, 2009

**Education, State Board of**

4. Gayon Sampson District 3  
5850 Holly Hock Place  
Frederick, MD 21703

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2010

**Fire–Rescue Education and Training Commission**

5. Omara M. Boulware District 24  
1419 Farmingdale Avenue  
Capitol Heights, MD 20743

Member of the Fire–Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2008

6. John E. Dulina District 6  
1258 Sugarwood Circle, Unit 302  
Baltimore, MD 21221
- Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2006 and four years from July 1, 2010
7. Barbara A. Knippenburg District 1  
17608 Old Dan’s Rock Road SW  
Frostburg, MD 21532
- Member of the Fire–Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2008
8. Michael W. Robinson, Sr. District 42  
12 Bosley Lane  
Reisterstown, MD 21136
- Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2008
9. Reinhold C. Strobel District 31  
6417 Lacrosse Lane  
Glen Burnie, MD 21061
- Member of the Fire–Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2009

### **Handgun Roster Board**

10. P. Michael Errico District 33  
702 Petersburg Road  
Davidsonville, MD 21035
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008
11. Claudette Gadsden–Hrobak District 43  
5218 Catalpha Road  
Baltimore, MD 21214
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008

12. James F. Laughland District 11  
227 Sandee Road  
Timonium, MD 21093

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008

13. George D. Mathias District 5  
3311 Benson Mill Road  
Upperco, MD 21155

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008

14. Russell N. Shea, Jr. District 46  
114 East Churchill Street  
Baltimore, MD 21230

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2008

15. Michael L. Tabor District 38  
5115 Thomas Long Road  
Crisfield, MD 21817

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2008

### **Health Care Commission, Maryland**

16. Adam J. Weinstein, M.D. District 36  
411 Wallman Way  
Stevensville, MD 21666

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2009

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

17. Rasheed Tamir Kerriem District 41  
2309 Elsinore Avenue  
Baltimore, MD 21216

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term of three years from January 1, 2009

**Heritage Areas Authority, Maryland**

18. Donna Tully Dudley District 37  
9949 Eagle Drive  
Easton, MD 21601

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2010

19. John J. Fieseler District 4  
626 Francis Scott Key Highway  
Keymar, MD 21757

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2010

20. Andrea C. Harrison District 24  
3103 La Dova Way  
Springdale, MD 20774

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006 and a term of four years from October 1, 2010

21. Donna M. Ware District 30  
16 Eastern Avenue  
Annapolis, MD 21403

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2008

**Higher Education Commission, Maryland**

22. Alexia Van Orden District 46  
736 Dover Street  
Baltimore, MD 21230

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of one year from July 1, 2010

**Historical Trust, Board of Trustees of the Maryland**

23. Larry S. Gibson, Esq. District 43  
237 Lambeth Road  
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of a term of four years from July 1, 2009

24. David A. Turner District 26  
10101 Livingston Road  
Broad Creek, MD 20744–4931

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of a term of four years from July 1, 2006 and term of four years from July 1, 2010

**School for the Deaf, Board of Trustees of the Maryland**

25. David A. Martin District 3  
504 Elm Street  
Frederick, MD 21701

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2009

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Education, State Board of**

- S-1. Charlene M. Dukes, Ed.D. District 23  
10602 Wood Pointe Terrace  
Glenn Dale, MD 20769

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2010

- S-2. Donna Hill Staton District 13  
13827 Lakeside Drive  
Clarksville, MD 21029

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2010

**Fire-Rescue Education and Training Commission**

- S-3. R. Michael Clemens District 4  
8104 Pete Wiles Road  
Middleton, MD 21769

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2010

- S-4. Geoffrey L. Donahue District 8  
8 Valles Court  
Parkville, MD 21234

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2009

- S-5. Daniel J. Stevens District 28  
6461 Hawkins Gate Road  
La Plata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2009

**Heritage Areas Authority, Maryland**

S-6. Ann M. Fligsten, Esq.  
1337 Kinloch Circle  
Arnold, MD 21012

District 30

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 18, 2011.

The motion was adopted.

**SPECIAL ORDERS**

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

**Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Courts – Natural Resources Violations – Jurisdiction**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Conway moved, duly seconded, to make the Bill and Report a Special Order for February 22, 2011.

The motion was adopted.

**Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Conway moved, duly seconded, to make the Bill a Special Order for February 22, 2011.



The motion was adopted.

**Senate Bill 5 – Senators Klausmeier, Rosapepe, and Stone**

AN ACT concerning

**Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Conway moved, duly seconded, to make the Bill and Report a Special Order for February 24, 2011.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 148)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #7**

**Senate Bill 51 – Senators Brochin and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality and Eligibility**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 149)

The Bill was then sent to the House of Delegates.

**Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Health Insurance – Evaluation of Quality of Care and Performance of Health Benefit Plans**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 150)

The Bill was then sent to the House of Delegates.

**Senate Bill 67 – Senators Edwards and Mathias**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Small Rural Electric Cooperative – Prohibition**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 151)

The Bill was then sent to the House of Delegates.

**Senate Bill 92 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

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

Affirmative – 46      Negative – 0      (See Roll Call No. 152)

The Bill was then sent to the House of Delegates.

**Senate Bill 104 – Senators King, Benson, DeGrange, Ferguson, Forehand, Kasemeyer, Madaleno, Montgomery, Peters, Pinsky, Rosapepe, Stone, and Young**

AN ACT concerning

**Judith P. Hoyer Early Child Care and Education Enhancement Program –  
Annual Report**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 153)

The Bill was then sent to the House of Delegates.

**Senate Bill 144 – Chair, Finance Committee (By Request – Departmental –  
Health and Mental Hygiene)**

AN ACT concerning

**Mental Hygiene Administration Facilities – Repeal of Provisions that Relate  
to Closed Facilities**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 154)

The Bill was then sent to the House of Delegates.

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Licensing**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 155)

The Bill was then sent to the House of Delegates.

**Senate Bill 179 – The President (By Request – Administration) and Senators  
Klausmeier, Astle, Garagiola, and Rosapepe**

AN ACT concerning

**Electric Companies – ~~Demand Response~~ Pilot Program for Charging Electric  
Vehicles**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 156)

The Bill was then sent to the House of Delegates.

**Senate Bill 202 – Senators Middleton, Kasemeyer, Astle, Currie, Ferguson, King, Madaleno, Manno, Mathias, McFadden, Montgomery, Pugh, Raskin, ~~and Zirkin~~ Zirkin, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, and Muse**

AN ACT concerning

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

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

Affirmative – 46      Negative – 0      (See Roll Call No. 157)

The Bill was then sent to the House of Delegates.

### **QUORUM CALL**

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

(See Roll Call No. 158)

### **ADJOURNMENT**

At 10:42 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 18, 2011.

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**Annapolis, Maryland**  
**Friday, February 18, 2011**  
**11:00 A.M. Session**

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The Senate met at 11:07 A.M.

Prayer by Reverend Timothy Kromer, Gary Memorial United Methodist Church, guest of Senator Robey.

(See Exhibit A of Appendix III)

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

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

**QUORUM CALL**

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

(See Roll Call No. 161)

**MESSAGE FROM THE EXECUTIVE**

The Secretary of State appeared and delivered a Message from the Executive.

February 18, 2011

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

Dear Mr. President:

In accordance with Article II, § 13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Governor

**GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS  
REQUIRING CONFIRMATION  
2011 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

AGRICULTURE DEPARTMENT, BOARD OF REVIEW OF THE	
Frederick W. Nelson, Jr. 32831 Perryhawkin Road Princess Anne, Maryland 21853 Somerset/38	Reappointment General Public Term of 3 years from January 1, 2009
Nina Bhat 11612 Capstan Drive Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment General Public Term of 3 years from January 1, 2010
Charles E. Fry 4410 Tuscarora Road Tuscarora, Maryland 21790 Frederick/03	Appointment General Public Term of 3 years from January 1, 2011
Wayne Carl Stafford 2617 Blue Ball Road Elkton, Maryland 21921 Cecil/34	Appointment General Public Term of 3 years from January 1, 2011
Albert Cleveland Brown, V.M.D. 4408 Dustin Road Burtonsville, Maryland 20866 Montgomery/14	Reappointment Knowledge and Experience Term of 3 years from January 1, 2009
Richard A. Horsmon 1805 Parran Road St. Leonard, Maryland 20695 Calvert/29	Reappointment Knowledge and Experience Term of 3 years from January 1, 2009
Jeffrey W. Griffith 5643 Greenock Road Lothian, Maryland 20711 Anne Arundel/33	Reappointment Knowledge and Experience Term of 3 years from January 1, 2010

AIRPORT ZONING APPEALS, BOARD OF	
Andrea M. Jones Horton 7715 East Classic Court Severn, Maryland 21061 Anne Arundel/32	Reappointment Anne Arundel County Term of 4 years from July 1, 2011
Philip Arthur Selden P.O. Box 703 Glen Echo, Maryland 20812 Montgomery/16	Reappointment At Large – Chair Term of 4 years from July 1, 2011
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
Nancy R. Brashear 108 Park Lane Thurmont, Maryland 21788 Frederick/04	Reappointment State or County Fairs Term of 4 years from July 1, 2011
ARCHAEOLOGY, ADVISORY COMMITTEE ON	
C. Jane Cox 1621 Defense Highway Gambrills, Maryland 21054 Anne Arundel/33	Reappointment Member Term of 3 years from July 1, 2011
Joy Beasley 5312 Brabant Road Baltimore, Maryland 21229 Baltimore City/41	Appointment Member Term of 3 years from July 1, 2011
Richard J. Dent, Ph.D. P.O. Box 415 Great Cacapon, West Virginia 25422 Nonresident	Reappointment Member Term of 3 years from July 1, 2011
AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE PATHOLOGISTS, BOARD OF EXAMINERS OF	
Rodric D. McKinnon 3310 Fox Valley Drive West Friendship, Maryland 21794 Howard/09	Appointment Consumer Term of 4 years from July 1, 2011
BLIND INDUSTRIES AND SERVICES OF MARYLAND, BOARD OF TRUSTEES OF	
Michael L. Gosse, Ph.D. 2540 E. Baltimore Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Member Term of 3 years from July 1, 2009

CHESAPEAKE AND ATLANTIC COASTAL BAYS, CRITICAL AREA COMMISSION FOR THE	
Vincent J. Gardina 4 Farm Brook Court Perry Hall, Maryland 21128 Baltimore County/07	Appointment Baltimore County – Appointed/Elected Remainder of a term of 4 years from July 1, 2010
Hon. Francis Jack Russell P.O. Box 653 Leonardtown, Maryland 20650 St. Mary's/29	Reappointment St. Mary's County – Appointed/Elected Term of 4 years from July 1, 2011
Donald East Sutton 8 Wheeler Avenue P.O. Box 157 Bertterton, Maryland 21610 Kent/36	Appointment Kent County – Appointed/Elected Remainder of a term of 4 years from July 1, 2008
John E. Bloxom 16 Fourteenth Street Pocomoke City, Maryland 21851 Worcester/38	Appointment Worcester/Chesapeake Bay – Appointed/Elected Remainder of a term of 4 years from July 1, 2010
Mark M. Konapelsky 19 Wynfall Avenue Crisfield, Maryland 21817 Somerset/38	Appointment Somerset – Citizen Remainder of a term of 4 years from July 1, 2007 and a term of 4 years from July 1, 2011
Carolyn Cummins 9628 Oceanview Lane Ocean City, Maryland 21842 Worcester/38	Appointment Worcester/Atlantic Bay – Citizen Remainder of a term of 4 years from July 1, 2010
Virginia P. Clagett 1387 Cumberstone Road P.O. Box 1 West River, Maryland 20778 Anne Arundel/30	Appointment At Large Remainder of a term of 4 years from July 1, 2008
CHILD CARE PROGRAM PROFESSIONALS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL	
Krystal H. McKinney 4010 Bald Hill Terrace Bowie, Maryland 20732 Prince George's/24	Reappointment Consumer Term of 4 years from July 1, 2011



Brady Graves Daniels 10045 Cottonmill Lane Columbia, Maryland 21046 Howard/13	Appointment Consumer Term of 4 years from July 1, 2011
CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF	
Stephanie J. Chaney, D.C. 477 Penwood Drive Edgewater, Maryland 21037 Anne Arundel/30	Reappointment Chiropractor Term of 4 years from July 1, 2011
Daniel J. Kraus, D.C. 7502 Leesburg Place Bethesda, Maryland 20817 Montgomery/16	Reappointment Chiropractor Term of 4 years from July 1, 2011
COLLECTION AGENCY LICENSING BOARD	
Naomi B. Powell 2301 Woodvale Lane Mitchellville, Maryland 20721 Prince George's/23	Appointment Consumer Term of 4 years from July 1, 2010
CONTRACT APPEALS, MARYLAND STATE BOARD OF	
Dana Lee Dembrow, Esq. 1226 Canterbury Drive Sykesville, Maryland 21784 Carroll/09	Reappointment Member Term of 5 years from February 1, 2010
CORRECTIONAL STANDARDS, COMMISSION ON	
John Michael Stouffer 13733 Franks Run Road Smithsburg, Maryland 21783 Washington/02	Reappointment State Correctional Term of 3 years from July 1, 2011
Wendell M. France 1855 Carnoustie Court Finksburg, Maryland 21048 Carroll/05	Appointment State Correctional Term of 3 years from July 1, 2011
Thomas D. Reece, Jr. 5233 Colebrook Drive La Plata, Maryland 20646 Charles/28	Appointment Local Correctional Term of 3 years from July 1, 2011
CORRECTIONAL TRAINING COMMISSION	

C. Steven Snow 5601 Drought Spring Court Frederick, Maryland 21702 Frederick/03	Appointment Correctional Official Term of 3 years from July 1, 2011
CRIMINAL INJURIES COMPENSATION BOARD	
Sandy Bromley 7611 Maple Avenue, #511 Takoma Park, Maryland 20912 Montgomery/20	Appointment Member – Democrat Term of 5 years from July 1, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 1 – BALTIMORE CITY	
Hon. Catherine Curran O'Malley 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/45	Reappointment Judge Term of 10 years from July 17, 2011
Hon. C. Yvonne Holt Stone 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Judge Term of 10 years from April 12, 2011
Hon. Ronald Alan Karasic 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Reappointment Judge Term of 10 years from July 17, 2011
Hon. Barbara Baer Waxman 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Judge Term of 10 years from April 12, 2011
Hon. Jamey H. Hueston 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Reappointment Judge Term of 10 years from April 12, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 3 – CAROLINE, CECIL, KENT, QUEEN ANNE'S AND TALBOT COUNTIES	
Hon. Douglas H. Everngam 207 S. Third Street Denton, Maryland 21629 Caroline/37	Reappointment Judge – Caroline County Term of 10 years from May 17, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 6 – MONTGOMERY COUNTY	

Hon. Eugene Wolfe 27 Courthouse Square Rockville, Maryland 20850 Montgomery/19	Reappointment Judge Term of 10 years from May 11, 2011
Hon. Gary Gilbert Everngam 27 Courthouse Square Rockville, Maryland 20850 Montgomery/19	Reappointment Judge Term of 10 years from May 11, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 8 – BALTIMORE COUNTY	
Hon. Dorothy Jean Wilson 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/42	Reappointment Judge Term of 10 years from August 2, 2011
Hon. Nancy M. Purpura 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/42	Reappointment Judge Term of 10 years from August 2, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 10 – CARROLL AND HOWARD COUNTIES	
Hon. JoAnn M. Ellinghaus–Jones 101 N. Court Street Westminster, Maryland 21157 Carroll/05	Reappointment Judge – Carroll County Term of 10 years from March 7, 2011
DISTRICT COURT OF MARYLAND – DISTRICT 11 – FREDERICK AND WASHINGTON COUNTIES	
Hon. William Milnor Roberts 100 West Patrick Street Frederick, Maryland 21701 Frederick/03	Reappointment Judge – Frederick County Term of 10 years from September 23, 2011
HEALTH AND MENTAL HYGIENE, BOARD OF REVIEW OF THE DEPARTMENT OF	
Joy C. Naden 20 Cross Keys Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment General Public – Chair Term of 3 years from July 1, 2009
Betty Makell Coleman 8 Kirby Lane Annapolis, Maryland 21401 Anne Arundel/30	Reappointment General Public Term of 3 years from July 1, 2010

Anne Ruth Cullen 3024 Traymore Lane Bowie, Maryland 20715 Prince George's/23	Reappointment General Public Term of 3 years from July 1, 2010
Yolanda Maria Welch 10370 Pot Spring Road Lutherville, Maryland 21093 Baltimore County/42	Reappointment Knowledge and Experience Term of 3 years from July 1, 2009
Kelly Cao 108 S. High Street Baltimore, Maryland 21202 Baltimore City/46	Reappointment Knowledge and Experience Term of 3 years from July 1, 2011
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Veronica Land–Davis 1546 Langford Road Baltimore, Maryland 21207 Baltimore County/10	Reappointment Provider Term of 3 years from July 1, 2011
Amy Nicholas Sargent 1200 S. Conkling Street, #246 Baltimore, Maryland 21224 Baltimore City/46	Appointment Personnel Preparation Remainder of a term of 3 years from July 1, 2009
Hon. Guy Guzzone 206 House Office Building Annapolis, Maryland 21401 Howard/13	Reappointment State Legislature Term of 3 years from July 1, 2011
Rosemary King Johnston 8 White Spruce Court Baltimore, Maryland 21234 Baltimore County/08	Reappointment Governor's Office for Children Term of 3 years from July 1, 2010
Kelli Piscano–Nelson 761 Sussex Court Eldersburg, Maryland 21784 Carroll/09	Reappointment Parent – Chair Term of 3 years from July 1, 2011
Miji Kim 12168 Linden Linthicum Lane Clarksville, Maryland 21029 Howard/13	Appointment Parent Term of 3 years from July 1, 2010
Margaret C. Berman 7031 Kenleigh Road Baltimore, Maryland 21212 Baltimore County/42	Reappointment DHMH – Medicaid Term of 3 years from July 1, 2011

Deborah G. Badawi, M.D. 14 Edelweiss Way Parkton, Maryland 21120 Baltimore County/05	Appointment DHMH – Mental Health Term of 3 years from July 1, 2011
William T. Cohee, Ed.D. 130 Nantucket Drive Middletown, Delaware 19709 Nonresident	Reappointment MSDE – Homeless Education Term of 3 years from July 1, 2011
JUVENILE SERVICES, SECRETARY OF	
Sam Abed 118 N. Howard Street, Apt. 213 Baltimore, Maryland 21201 Baltimore City/44	Appointment Secretary Serves at the pleasure of the Governor
LOTTERY COMMISSION, STATE	
J. Kirby Fowler, Jr., Esquire 403 Gittings Avenue Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member – Democrat Term of 4 years from January 9, 2011
W. Ray Presley 15303 Brandywine Drive Cumberland, Maryland 21502 Allegany/01	Reappointment Law Enforcement – Republican Term of 4 years from January 2, 2011
MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF	
Donald L. Newman 1034 North Park Road P.O. Box 275 Grantsville, Maryland 21536 Garrett/01	Appointment Mortician Term of 4 years from July 1, 2011
Hari P. Close, II, D.D. 5126 Belair Road Baltimore, Maryland 21206 Baltimore City/45	Reappointment Mortician Term of 4 years from July 1, 2011
Victor C. March, Sr. 708 Milldam Road Towson, Maryland 21286 Baltimore County/42	Appointment Mortician Term of 4 years from July 1, 2011
Renee Derketsch 4712 Belle Forte Road Baltimore, Maryland 21208 Baltimore County/11	Reappointment Consumer Term of 4 years from July 1, 2011

Lauri A. Cebula–Seaboch 5915 Benton Heights Avenue Baltimore, Maryland 21206 Baltimore City/45	Reappointment Consumer Term of 4 years from July 1, 2011
OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF	
Meenakshi D. Gupta 8625 Valleyfield Road Lutherville, Maryland 21093 Baltimore County/11	Reappointment Consumer Term of 4 years from July 1, 2011
PAROLE COMMISSION, MARYLAND	
Christopher John Reynolds 3411 Abella Road Port Republic, Maryland 20676 Calvert/27	Appointment Member Remainder of a term of 6 years from January 1, 2006
Jasper R. Clay 4964 Moonfall Way Columbia, Maryland 21044 Howard/12	Reappointment Member Term of 6 years from January 1, 2011
H. Erle Schafer 237 Carroll Road Glen Burnie, Maryland 21060 Anne Arundel/31	Appointment Member Remainder of a term of 6 years from January 1, 2007
PHYSICAL THERAPY EXAMINERS, STATE BOARD OF	
Ved K. Gupta 8625 Valleyfield Road Lutherville, Maryland 21093 Baltimore County/11	Reappointment Consumer Term of 4 years from June 1, 2011
PLUMBING, STATE BOARD OF	
Charles J. Morgan, Jr. 1219 Hull Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment Plumber – Baltimore City Term of 3 years from May 1, 2011
Jon H. Garner 1987 Mosser Road McHenry, Maryland 21541 Garrett/01	Reappointment Plumber – Western Maryland Term of 3 years from May 1, 2011
Michael J. Kastner, Jr. 13556 Argo Drive Dayton, Maryland 21036 Howard/13	Reappointment Plumber – North/North Central Maryland Term of 3 years from May 1, 2011

PORT COMMISSION, MARYLAND	
Peta N. Richkus 107 A Versailles Circle Towson, Maryland 21204 Baltimore County/42	Reappointment Member Term of 3 years from July 1, 2011
Alvin J. Nichols 8105 Felbrigg Hall Road Glenn Dale, Maryland 20769 Prince George's/22	Reappointment Member Term of 3 years from July 1, 2011
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Kenneth M. Grunley 8816 Twin Creek Court Potomac, Maryland 20854 Montgomery/15	Appointment Management Remainder of a term of 3 years from July 1, 2010
Maryann S. Cohea, Esq. 5372 Red Lake Court Columbia, Maryland 21045 Howard/13	Reappointment Public Term of 3 years from July 1, 2011
Michael Claude A. McPherson 11090 Swansfield Road Columbia, Maryland 21044 Howard/12	Reappointment Public Term of 3 years from July 1, 2011
PSYCHOLOGISTS, STATE BOARD OF	
Neal R. Morris, Ed.D. 4615 Chestnut Street Bethesda, Maryland 20814 Montgomery/16	Appointment Psychologist – Services Remainder of a term of 4 years from July 1, 2009
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
Nathaniel W. Hauser 3729 Chatham Road Ellicott City, Maryland 21042 Howard/09	Reappointment General Appraiser Term of 3 years from January 1, 2011
David J. Hodnett, Esq. 18 Bailey Lane Owings Mills, Maryland 21117 Baltimore County/11	Reappointment Financial Institution Term of 3 years from January 1, 2011
George Fair 6627 Cherry Hill Road Baldwin, Maryland 21013 Baltimore County/07	Reappointment Home Inspector Term of 3 years from January 1, 2011

Don de Castro 5005 Rayburn Court Camp Springs, Maryland 20748 Prince George's/26	Appointment Consumer Term of 3 years from January 1, 2011
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF	
Carmen Sylvia Brown 11102 Old Carriage Road Glen Arm, Maryland 21057 Baltimore County/07	Reappointment Member Term of 3 years from July 1, 2010
Kevin Liles 75 Rockefeller Plaza, 32nd Floor New York, New York 20019 Nonresident	Reappointment Member Term of 3 years from July 1, 2010
ST. MARY'S CITY COMMISSION, HISTORIC	
Michael S. Loughran 45355 Stark Drive P.O. Box 275 Piney Point, Maryland 20674 St. Mary's/29	Appointment General Public Remainder of a term of 4 years from July 1, 2010
Michael J. Whitson 28264 Old Village Road Mechanicsville, Maryland 20659 St. Mary's/29	Appointment Business Community Remainder of a term of 4 years from July 1, 2010
Father William L. George, S.J. 320 Pioneer Lane Centreville, Maryland 21617 Queen Anne's/36	Appointment General Public Remainder of a term of 4 years from July 1, 2007 and a term of 4 years from July 1, 2011
STADIUM AUTHORITY, MARYLAND	
Weldon H. Latham, Esq. 7004 Natelli Woods Lane Bethesda, Maryland 20817 Montgomery/16	Appointment Member Term of 4 years from July 1, 2010
TOURISM DEVELOPMENT BOARD, MARYLAND	
Matthew McLeod Taylor 112 N. 2nd Street Oakland, Maryland 21550 Garrett/01	Reappointment Attractions Term of 3 years from July 1, 2011



Greg Shockley 10148 Queen's Circle Ocean City, Maryland 21842 Worcester/38	Reappointment Food Service Term of 3 years from July 1, 2011
Christopher S. Schardt 2918 Hudson Street Baltimore, Maryland 21224 Baltimore City/46	Reappointment Retail Term of 3 years from July 1, 2011
VETERANS HOME COMMISSION, MARYLAND	
Jason E. Franklin 18623 Shadowridge Terrace Olney, Maryland 20832 Montgomery/14	Appointment Member Remainder of a term of 5 years from July 1, 2006 and a term of 5 years from July 1, 2011
Brig. Gen. Warner Ivan Sumpter 30466 Prince William Street Princess Anne, Maryland 21853 Somerset/38	Reappointment Member Term of 5 years from July 1, 2011
Col. Mary R. Boyd 6523 Hawkins Gate Road La Plata, Maryland 20646 Charles/28	Reappointment Member Term of 5 years from July 1, 2011
Terry T. Shima 415 Russell Avenue, #1005 Gaithersburg, Maryland 20877 Montgomery/17	Appointment Member Remainder of a term of 5 years from July 1, 2007
WASHINGTON SUBURBAN TRANSIT COMMISSION	
Michael Barnes 7313 Maple Avenue Chevy Chase, Maryland 20815 Montgomery/18	Appointment Montgomery County Resident Term of 3 years from June 1, 2010
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Jacqueline D. Hurman 334 Creekside Commons Court Stevensville, Maryland 21666 Queen Anne's/36	Appointment Camp Owner/Manager – Nonprofit Remainder of a term of 3 years from July 1, 2008 and a term of 3 years from July 1, 2011

Courtney Pullen 8003 Alcoa Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment Camp Owner/Manager – Profit Term of 3 years from July 1, 2011
Blessing Matthews 2806 Foxglove Way Springdale, Maryland 20774 Prince George's/24	Appointment Public Term of 3 years from July 1, 2011
Margaret C. Kaufman 405 Watson Road Centreville, Maryland 21617 Queen Anne's/36	Appointment Local Health Department Term of 3 years from July 1, 2010

**GUBERNATORIAL APPOINTMENTS TO LOCAL BOARDS  
REQUIRING CONFIRMATION  
2011 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

ALLEGANY COUNTY BOARD OF ELECTIONS	
Georgia Martin 148 N. Mechanic Street Cumberland, Maryland 21502 Allegany/01	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Catherine O'Rourke Davis 410 Crest View Drive Frostburg, Maryland 21502 Allegany/01	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Lionel F. Baker, Sr. 15011 Paradise Street P.O. Box 114 Midland, Maryland 21542 Allegany/01	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
JoAnn Spiker 14401 New Georges Creek Road SW Frostburg, Maryland 21332 Allegany/01	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Richard Lee DeVore, Jr. 10325 Mason Dixon View NW P.O. Box 45 Ellerslie, Maryland 21502 Allegany/01	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
ANNE ARUNDEL COUNTY BOARD OF ELECTIONS	
Kimberly Jill Barr, Esq. 639 Sean Drive Annapolis, Maryland 21401 Anne Arundel/33	Reappointment Majority Party – Member Term of 4 years from June 6, 2011

Barbara L. Fisher 1455 Pleasantville Drive Glen Burnie, Maryland 21061 Anne Arundel/31	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
John “Jack” Ensor 1133 Nichols Court Millersville, Maryland 21108 Anne Arundel/33	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Michael E. Malone 2011 Aldrich Lane Gambrills, Maryland 21054 Anne Arundel/33	Appointment Minority Party – Member Term of 4 years from June 6, 2011
William G. Voelp 21 Nicholson Drive Pasadena, Maryland 21122 Anne Arundel/31	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>BALTIMORE CITY BOARD OF ELECTIONS</b>	
Tara Andrews 3407 Elgin Avenue, #2 West Baltimore, Maryland 21216 Baltimore City/41	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Lawrence C. Cager, Jr. 3001 Granada Avenue Baltimore, Maryland 21207 Baltimore City/41	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Cory McCray 6908 Brook Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Eleanor K. Wang 5405 Falls Road Terrace Baltimore, Maryland 21210 Baltimore City/41	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Frankie L. Powell 5123 Queensberry Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>BALTIMORE COUNTY BOARD OF ELECTIONS</b>	
Bruce N. Harris 7015 Plymouth Road Baltimore, Maryland 21208 Baltimore County/11	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Leronia A. Josey 3700 Locheran Drive Baltimore, Maryland 21207 Baltimore County/10	Appointment Majority Party – Member Term of 4 years from June 6, 2011

Timothy R. Hickman 2312 Springlake Drive Timonium, Maryland 21093 Baltimore County/42	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Joseph N. Karey 102 Edgerton Road Towson, Maryland 21286 Baltimore County/42	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Marjorie J. Neuman 19 Juliet Lane, Unit 201 Baltimore, Maryland 21236 Baltimore County/08	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>CALVERT COUNTY BOARD OF ELECTIONS</b>	
Timothy W. Klares 1830 Peace Court East St. Leonard, Maryland 20685 Calvert/29	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Ceferino Avon Epps 12112 Catalina Drive Lusby, Maryland 20657 Calvert/29	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Keith A. Lotridge 8431 Meadowview Circle Owings, Maryland 20736 Calvert/27	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Eugene C. McNerney 10311 Three Doctors Road Dunkirk, Maryland 20754 Calvert/27	Appointment Minority Party – Member Term of 4 years from June 6, 2011
James C. Fisk 2921 Cedarwood Lane Dunkirk, Maryland 20754 Calvert/27	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>CAROLINE COUNTY BOARD OF ELECTIONS</b>	
Jack M. Keats 15169 Day Road Goldsboro, Maryland 21630 Caroline/36	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Margaret A. Thompson 8250 Harmony Road Denton, Maryland 21629 Caroline/37	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Warner G. Johnson 27320 Chipman Lane Federalsburg, Maryland 21632 Caroline/37	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011

Ronald M. Pippin 25880 Dogwood Road Greensboro, Maryland 21639 Caroline/36	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Greta H. Scanlan 24561 Mill Creek Lane Denton, Maryland 21629 Caroline/36	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>CARROLL COUNTY BOARD OF ELECTIONS</b>	
Phillip R. Miller 2209 Deep Run Road Manchester, Maryland 21102 Carroll/05	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Gail S. Riley 2243 Bachmans Valley Road Manchester, Maryland 21102 Carroll/05	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Hope R. Jacobs 670 Tanglewood Drive Sykesville, Maryland 21784 Carroll/09	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Griffith B. Manahan 1694 Stone Chapel Road New Windsor, Maryland 21776 Carroll/05	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
David R. Peloquin 1038 Pinch Valley Road Westminster, Maryland 21158 Carroll/05	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>CECIL COUNTY BOARD OF ELECTIONS</b>	
Jack Beaston 4 Squirrel Court Elkton, Maryland 21921 Cecil/36	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Nelson K. Bolender 22 Highland Avenue Elkton, Maryland 21921 Cecil/36	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Nancy Rothwell Simperts 584 Kirk Road Elkton, Maryland 21921 Cecil/36	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Margaret McMahon Gagnon 42 Carpenter's Point Loop Perryville, Maryland 21903 Cecil/34	Reappointment Minority Party – Member Term of 4 years from June 6, 2011

Brenda K. Ross 214 East Main Street P.O. Box 331 Cecilton, Maryland 21913 Cecil/36	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
CHARLES COUNTY BOARD OF ELECTIONS	
Fern G. Brown 4690 Pickeral Street P.O. Box 293 White Plains, MD 20695 Charles/28	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Gloria D. Hampton 11810 General Hampton Place Nanjemoy, Maryland 20662 Charles/28	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Norman J. Saunders, Sr. 11955 Woodbury Road Nanjemoy, Maryland 20662 Charles/28	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
James R. Anderson 5240 Well Spring Road La Plata, Maryland 20646 Charles/28	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Katherine M. O'Malley–Simpson 8305 Clamber Hill Place P.O. Box 163 Port Tobacco, Maryland 20677 Charles/28	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
DORCHESTER COUNTY BOARD OF ELECTIONS	
Thomas M. Corkran 3409 Choptank Drive East New Market, Maryland 21631 Dorchester/37	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Jeanne H. Webster 2 Shady Drive Cambridge, Maryland 21613 Dorchester/37	Appointment Majority Party – Member Term of 4 years from June 6, 2011
William E. Batson 5525 Finchville Reliance Road P.O. Box 218 Hurlock, Maryland 21643 Dorchester/37	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Janet M. Livingston 4403 Pine Top Road Taylors Island, Maryland 21669 Dorchester/37	Appointment Minority Party – Member Term of 4 years from June 6, 2011

George Philip Reed 111 Lee Drive Cambridge, Maryland 21613 Dorchester/37	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>FREDERICK COUNTY BOARD OF ELECTIONS</b>	
Mark P. Jeffers, Jr. 4908 Ed McClain Road Monrovia, Maryland 21770 Frederick/04	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Garold R. Hays 201 Cobble Way Walkersville, Maryland 21793 Frederick/04	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Earlene Hairstone Thornton, Ed.D. 5503 Hines Road Frederick, Maryland 21701 Frederick/03	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Mary Lou Green 3602 Petersville Road Knoxville, Maryland 21758 Frederick/03	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Raymond E. Bentz 125 Cody Drive, #33 Thurmont, Maryland 21788 Frederick/03	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>GARRETT COUNTY BOARD OF ELECTIONS</b>	
Charles P. Nolan 18 Hillcrest Drive Deer Park, Maryland 21550 Garrett/01	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Betty M. Pritt 470 Cherry Creek Lane Oakland, Maryland 21550 Garrett/01	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Randall R. Glotfelty 187 Englewood Lane Grantsville, Maryland 21536 Garrett/01	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Lois Arlene Martin 9605 Garrett Highway Oakland, Maryland 21550 Garrett/01	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Paul L. Kolb 242 Sale Barn Road Accident, Maryland 21502 Garrett/01	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011

HARFORD COUNTY BOARD OF ELECTIONS	
Maureen O. Neal 2517 Putnam Road Forest Hill, Maryland 21050 Harford/35	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Michael G. Comeau, Esq. 3509 Glen Oak Drive Jarrettsville, Maryland 21084 Harford/35	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Maria A. Terry 333 Oak Street Aberdeen, Maryland 21001 Harford/34	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Edward D. Yoder 3520 Grier Nursery Road Street, Maryland 21154 Harford/35	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Kevin K. Keene 1111 Glastonbury Way Bel Air, Maryland 21014 Harford/35	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
HOWARD COUNTY BOARD OF ELECTIONS	
Ann Moylan Balcerzak 7303 Meadow Wood Way Clarksville, Maryland 21029 Howard/13	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Raymond M. Rankin 8333 Painted Rock Road Columbia, Maryland 21045 Howard/13	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Donna La Verne Rice 5070 Amesbury Drive Columbia, Maryland 21044 Howard/12	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Donna Kay Thewes 9535 Cissell Avenue Laurel, Maryland 20723 Howard/13	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Charles M. Coles, Jr. 1596 Daisy Road Woodbine, Maryland 21797 Howard/09	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
KENT COUNTY BOARD OF ELECTIONS	



George R. Parsons, Jr. 20924 Bayside Avenue Rock Hall, Maryland 21661 Kent/36	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
William F. Shiflett, Jr. 8550 Camp Road Chestertown, Maryland 21620 Kent/36	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
W. Roger Williams 118 Cedar Street Chestertown, Maryland 21620 Kent/36	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Elizabeth E. Carroll 401 Jarman Avenue Galena, Maryland 21635 Kent/36	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Walter F. Landon 122 Jimstown Circle Chestertown, Maryland 21620 Kent/36	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>MONTGOMERY COUNTY BOARD OF ELECTIONS</b>	
Mary Ann Keeffe 3503 Kensington Court Kensington, Maryland 20895 Montgomery/18	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Donice M. Jeter 7202 Lynnhurst Place Chevy Chase, Maryland 20815 Montgomery/18	Appointment Majority Party – Member Term of 4 years from June 6, 2011
John J. Sullivan 5404 Greystone Street Chevy Chase, Maryland 20815 Montgomery/16	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Graciela Rivera–Oven 21210 Blunt Road Germantown, Maryland 20876 Montgomery/15	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Nancy H. Dacek 15113 Grey Pebble Drive Germantown, Maryland 20874 Montgomery/15	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Nahid Khozeimeh, Sc.D. 7005 Millwood Road Bethesda, Maryland 20817 Montgomery/16	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
<b>PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS</b>	

Theresa A. Roebuck 6601 Oak Street Cheverly, Maryland 20785 Prince George's/47	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Beatrice P. Tignor 14201 Water Fowl Way Upper Marlboro, Maryland 20774 Prince George's/25	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Linda Houston 8705 Grasmere Court Fort Washington, Maryland 20744 Prince George's/26	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Kurt E. Walter 12300 Keel Turn Bowie, Maryland 20715 Prince George's/23	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Jerome V. Anzulovic 4900 Ruatan Street College Park, Maryland 20740 Prince George's/21	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Dennis C. Smith 8621 Johnson Avenue Glenarden, Maryland 20706 Prince George's/24	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
John E. Rowe 403 Careybrook Lane Oxon Hill, Maryland 20745 Prince George's/26	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Olivia D. Vaughns 1200 Fiji Avenue Highland Park, Maryland 20785 Prince George's/24	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>QUEEN ANNE'S COUNTY BOARD OF ELECTIONS</b>	
William A. Seth 99 Glendale Avenue Centreville, Maryland 21617 Queen Anne's/36	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Louis Roger Twigg, Jr. 118 Pleasant Springs Drive Centreville, Maryland 21617 Queen Anne's/36	Appointment Majority Party – Member Term of 4 years from June 6, 2011
George J. Gould, Sr. 5800 Main Street Queenstown, Maryland 21658 Queen Anne's/36	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011

Jane G. Sparks 1731 Harbor Drive Chester, Maryland 21619 Queen Anne's/36	Appointment Minority Party – Member Term of 4 years from June 6, 2011
William C. Stoops 725 Church Hill Road Centreville, Maryland 21617 Queen Anne's/36	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>ST. MARY'S COUNTY BOARD OF ELECTIONS</b>	
Robert H. Goldsmith, Ph.D. 43475 Stephenson Drive Leonardtwn, Maryland 20650 St. Mary's/29	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Rebecca J. Wathen 14681 Point Lookout Road P.O. Box 67 St. Inigoes, Maryland 20684 St. Mary's/29	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Rose V. Frederick 40440 Frederick Lane P.O. Box 22 Loveville, Maryland 20656 St. Mary's/29	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Noel Temple Wood 44478 White Stone Place Tall Timbers, Maryland 20690 St. Mary's/29	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Kenneth F. Boothe 46138 Boothe Farm Lane Great Mills, Maryland 20634 St. Mary's/29	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>SOMERSET COUNTY BOARD OF ELECTIONS</b>	
Robert F. McCready 11647 Dennis Drive Princess Anne, Maryland 21853 Somerset/38	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Richard A. Barnhart 24350 Hideaway Lane P.O. Box 91 Deal Island, Maryland 21821 Somerset/38	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Mary L. T. Handy 28152 Holland Crossing Road Marion, Maryland 21838 Somerset/38	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
<b>TALBOT COUNTY BOARD OF ELECTIONS</b>	

Walter Weldon Black, Jr. 8672 Misty Brook Way Easton, Maryland 21601 Talbot/37	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Susan J. MacKinnon 105 Willows Avenue Oxford, Maryland 21654 Talbot/37	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Mary–Beth Goll 814 Applewood Court Easton, Maryland 21601 Talbot/37	Reappointment Majority Party – Substitute Term of 4 years from June 6, 2011
Joseph H. Secrist, Jr. 11638 Longwoods Road Easton, Maryland 21601 Talbot/37	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Venita L. Southworth 707 Lomax Street Easton, Maryland 21601 Talbot/37	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>WASHINGTON COUNTY BOARD OF ELECTIONS</b>	
Eileen W. Wiggins 18534 Kent Avenue Hagerstown, Maryland 21740 Washington/02	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
John R. Benchoff 20201 American Way Hagerstown, Maryland 21742 Washington/02	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Tammy E. Downin 20103 Daniels Circle Hagerstown, Maryland 21742 Washington/02	Appointment Majority Party – Substitute Term of 4 years from June 6, 2011
Col. Clyde J. Tate 11101 Shalom Lane Hagerstown, Maryland 21742 Washington/02	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Carroll H. Earp 20315 Ayoub Lane Hagerstown, Maryland 21742 Washington/02	Reappointment Minority Party – Substitute Term of 4 years from June 6, 2011
<b>WICOMICO COUNTY BOARD OF ELECTIONS</b>	
Katrina A. Purnell 334 Trooper's Way Salisbury, Maryland 21804 Wicomico/38	Appointment Majority Party – Member Term of 4 years from June 6, 2011

Marva R. Purnell–Greene 630 Terrapin Lane Salisbury, Maryland 21804 Wicomico/38	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Darlene S. White 26908 Nanticoke Road Salisbury, Maryland 21801 Wicomico/37	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Woodland B. Willing 31986 Shavox Road Salisbury, Maryland 21804 Wicomico/38	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Leonard S. Jett 7061 Cromwell Avenue Salisbury, Maryland 21804 Wicomico/38	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
<b>WORCESTER COUNTY BOARD OF ELECTIONS</b>	
Hinson F. Finney 2317 Oak Hill Road Pocomoke City, Maryland 21851 Worcester/38	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Kay Ann Hickman 10 Fells Point P.O. Box 1422 Ocean Pines, Maryland 21811 Worcester/38	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Anna L. Hudson 509 B Dighton Avenue Snow Hill, Maryland 21863 Worcester/38	Reappointment Majority Party – Member Term of 4 years from June 6, 2011
Jane Carmean 6350 Snow Hill Road Snow Hill, Maryland 21863 Worcester/38	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Alfred F. Bridgman, Jr. 8 Pinehurst Road Ocean Pines, Maryland 21811 Worcester/38	Appointment Minority Party – Member Term of 4 years from June 6, 2011

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

### INTRODUCTION OF BILLS

**Senate Bill 878 – Senators Pugh, Conway, Ferguson, and McFadden**

AN ACT concerning

**Baltimore City – Video Lottery Terminals – Proceeds and Equipment**

FOR the purpose of altering the distribution of proceeds from video lottery terminals to the video lottery operation licensee in Baltimore City under certain circumstances; clarifying that certain requirements regarding minority business participation and employment apply to the ownership and operation of video lottery terminals by a video lottery operation licensee in Baltimore City; authorizing the video lottery operation licensee in Baltimore City to own or lease each video lottery terminal device and the associated equipment and software used in the video lottery facility; and generally relating to video lottery gaming in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–10(a)(1), 9–1A–21, and 9–1A–27(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 879 – Senator Stone**

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 Rules.

**Senate Bill 880 – Senator Zirkin**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Maryland Independent  
College and University Association – Stevenson University**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the purpose of a grant to the Stevenson University; 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 ZA00(K)

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

**Senate Bill 881 – The President (By Request – Administration) and Senator  
Mathias**

AN ACT concerning

**Economic Development Opportunities Program Account – Wind Turbine  
Manufacturing Facility**

FOR the purpose of altering the definition of “extraordinary economic development opportunity” for purposes of the Economic Development Opportunities Program Account to include attraction of a new wind turbine manufacturing facility to the State, or the expansion, to include wind turbine manufacturing, of an existing private sector enterprise, that meets certain requirements; providing that certain State incentives may not exceed a certain amount; defining certain terms; and generally relating to eligible expenditures under the Economic Development Opportunities Program Account.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement

Section 7–314(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–314(b) through (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 882 – The President (By Request – Administration)**

AN ACT concerning

**Unemployment Insurance – Federal Extended Benefits for the Long-Term  
Unemployed**

FOR the purpose of specifying that, for certain weeks of unemployment, a State “on” indicator exists for extended unemployment benefits under certain circumstances; specifying that a State “off” indicator exists for certain extended unemployment benefits under certain circumstances; prohibiting certain extended unemployment benefits from being payable for any week of unemployment beginning before a certain date; specifying the total amount of certain extended unemployment benefits that are payable to an eligible individual; authorizing the Secretary of Labor, Licensing, and Regulation, if authorized by federal law, to suspend the payment of certain extended unemployment benefits under certain circumstances; requiring that certain federal unemployment law provisions and definitions apply to certain provisions of State law under certain circumstances; requiring the Secretary to notify the Department of Legislative Services when the condition for the termination of this Act is met; providing for the application of this Act; providing for the termination of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–1103 and 8–1105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Labor and Employment  
Section 8–1109 and 8–1110  
Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)



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

**Senate Bill 883 – The President (By Request – Administration)**

AN ACT concerning

**Prescription Drug Monitoring Program**

FOR the purpose of establishing the Prescription Drug Monitoring Program in the Department of Health and Mental Hygiene; establishing the mission of the Program; requiring the Program to carry out its mission by monitoring the prescribing and dispensing of certain substances by certain prescribers and dispensers; establishing the powers and duties of the Department and the Secretary of Health and Mental Hygiene under the Program; requiring dispensers to submit electronically certain information to the Program except in certain circumstances; establishing the Advisory Board on Prescription Drug Monitoring to assist in the design, implementation, and evaluation of the Program; establishing the membership, chair, terms of members, staff support, reimbursement, and responsibilities of the Board; requiring the Secretary by regulation to establish training protocols and guidelines to assist in the interpretation and evaluation of prescription monitoring data; providing that prescription monitoring data are confidential and privileged and not subject to certain means of legal compulsion except under certain circumstances; requiring the Program to disclose prescription monitoring data to certain agencies and persons under certain circumstances; authorizing the Program to disclose prescription monitoring data for certain purposes under certain circumstances; authorizing the Office of the Attorney General to seek certain relief to maintain the confidentiality of prescription monitoring data; authorizing the Program to provide prescription monitoring data to another state's prescription drug monitoring program under certain circumstances; authorizing the Program to request, receive, and use prescription monitoring data from another state's prescription drug monitoring program; authorizing the Program to enter into certain agreements with other states' prescription drug monitoring programs; establishing immunity from liability for certain agencies and persons relating to the operation and use of the Program; establishing penalties and disciplinary action for violations of the requirements of the Program; providing for the termination of certain provisions of this Act and certain regulations, subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act; requiring a certain evaluation of the Program to be made on or before a certain date; defining certain terms; and generally relating to the establishment and operation of the Prescription Drug Monitoring Program.

BY renumbering

Article – State Government

Section 8–403(b)(54) through (68), respectively

to be Section 8–403(b)(55) through (69), respectively

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

BY adding to

Article – Health – General

Section 21–2A–01 through 21–2A–09 to be under the new subtitle “Subtitle 2A.  
Prescription Drug Monitoring Program”

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)(54)

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

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

### **Senate Bill 884 – Senator Montgomery**

AN ACT concerning

#### **Prescription Drugs – Dispensing Permits**

FOR the purpose of authorizing certain individuals who are licensed to practice certain health occupations in the State to dispense prescription drugs to patients under certain circumstances; requiring certain applicants to comply with certain standards; establishing certain standards for the operation of certain offices; establishing certain requirements to apply for a dispensing permit; requiring the State Board of Pharmacy to issue a dispensing permit under certain circumstances; authorizing a permit holder to dispense prescription drugs under certain circumstances; providing for the expiration and renewal of certain permits; authorizing certain inspections under certain circumstances; authorizing certain individuals to dispense starter dosages of prescription drugs under certain circumstances; prohibiting certain individuals from having a certain financial interest; authorizing the Board to deny a permit to an applicant, reprimand a permit holder, place a permit holder on probation, or suspend or revoke a permit; establishing certain hearing and appeal procedures for permit holders; defining certain terms; and generally relating to the authority of licensed dentists, physicians, and podiatrists to dispense prescription drugs.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–315 and 12–316  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–6D–01 through 12–6D–12 to be under the new subtitle “Subtitle 6D.  
Dispensing Permits”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

### **THE COMMITTEE ON RULES REPORT #2**

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

#### **Senate Bill 814 – Senator Shank**

AN ACT concerning

#### **Family Law – Divorce – Ownership of a Pet**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

#### **Senate Bill 815 – Senator Reilly**

AN ACT concerning

#### **State Government – Commemorative Month – Irish–American Heritage Month**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

#### **Senate Bill 817 – Senator Reilly**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Blackstone Memorial Amphitheatre**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 819 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Berkshire Neighborhood Park Renovation**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 820 – The President (By Request – Administration) and Senators Garagiola and Jacobs**

AN ACT concerning

**Federal Military and Overseas Voter Empowerment (MOVE) Act Compliance**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 821 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Winery Special Event Permits – Farmers’ Markets**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 822 – Senator Middleton**

AN ACT concerning

**Maryland Communities for a Lifetime Act**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 823 – Senator Edwards**

**EMERGENCY BILL**

AN ACT concerning

**Gaming – Video Lottery Terminals – Allegany County**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 824 – Senator Kelley**

AN ACT concerning

**Common Ownership Community Managers – Licensing and Regulation**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 825 – Senators Currie, Raskin, and Simonaire**

AN ACT concerning

**Education – Development and Review of Content Standards for Chess  
Instruction**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 826 – Senator Mathias**

AN ACT concerning

**Environment – Water and Sewer Service – Late Fees**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 827 – Senator Astle**

AN ACT concerning

**Environment – Severn River Watershed – Silt and Erosion Control – Certification**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 828 – Senator Astle**

AN ACT concerning

**Disposition of Excess State Property – Former Crownsville Hospital Center**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 830 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Extension**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 831 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Arthur & Mary E. Ridgley, Sr. Museum Phase I**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 832 – Senator Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Qualifications**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 835 – Senator Jones-Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – St. James Academy Comprehensive Educational Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 836 – Senator McFadden**

AN ACT concerning

**Baltimore City – 45th District – Alcoholic Beverages – Class C Licenses**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 838 – Senator Gladden**

AN ACT concerning

**Juvenile Law – Waiver of Jurisdiction – Appeal**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 839 – Senator Gladden**

AN ACT concerning

**Counties – Kennel Licenses – Requirements for Breeders**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 840 – Senator Gladden**

AN ACT concerning

**Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation and the Committee on Finance:

**Senate Bill 841 – Senator Pugh**

AN ACT concerning

**Arts and Entertainment Districts – Artistic Work – Design**



The bill was re-referred to the Committee on Budget and Taxation and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 842 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Renovation of Falling Green at OBG Park**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 843 – Senators Kelley, Garagiola, Mathias, Middleton, and Pugh**

AN ACT concerning

**Maryland Medical Assistance Program – Eligibility Determinations**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 844 – Senator Stone**

AN ACT concerning

**State Retirement and Pension System – Transfer of Service Credit**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 845 – Senator Dyson**

AN ACT concerning

**Health Occupations – Pharmacists – Administration of Vaccinations, Epinephrine, and Diphenhydramine**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 849 – The President (By Request – Administration)**

AN ACT concerning

**Natural Resources – Land Acquisitions**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 850 – Senator Middleton**

AN ACT concerning

**Health Insurance – Public Health Plans – Education and Disclosure Requirements**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 851 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Vehicle Laws – Overtaking and Passing School Vehicles – School Bus Monitoring Cameras**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 852 – Senator Astle**

AN ACT concerning

**Motorcycles – Protective Equipment – Penalty**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 853 – Senator Getty**

AN ACT concerning

**Orphans’ Court – Minors – Guardianship of Person**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 854 – Senator Ferguson**

AN ACT concerning

**Baltimore City – Board of Liquor License Commissioners – Issuance of Licenses**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 855 – Senator Shank**

AN ACT concerning

**Local Correctional Facilities – Inmates – Payment for Treatment of Preexisting Condition**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 856 – Senator Conway**

AN ACT concerning

**Maryland Higher Education Commission – Review of Program Proposals**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 858 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Calvert County – North Beach Public Works Building**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 859 – Senator King**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility – Child Support Payments**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 860 – Senator Jones-Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Dr. Bob’s Place – A Hospice for Children**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 861 – The President (By Request – Administration) and Senators Pinsky, Garagiola, Astle, Mathias, Middleton, Benson, Forehand, King, Madaleno, Montgomery, Raskin, Rosapepe, Young, and Zirkin**

AN ACT concerning

**Maryland Offshore Wind Energy Act**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 862 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Greenbelt Arts Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 863 – Senator Simonaire**

AN ACT concerning

**Environment – Exemption from Noise Restrictions – Marinas and Boatyards**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 864 – Senators Brinkley and Shank**

AN ACT concerning

**Sheriffs and Deputy Sheriffs – Practice of Law**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 865 – Senator Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Discovery Sports Center**

The bill was re-referred to the Committee on Budget and Taxation.

### SPECIAL ORDERS

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

#### SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #3  
February 17, 2011

#### Clean Energy Center, Board of Directors for Maryland

1. Eric D. Wachsman District 13  
9469 Lovat Road  
Fulton, MD 20759

Member of the Board of Directors for the Maryland Clean Energy Center; appointed to serve remainder of a term to expire June 30, 2011

#### Dietetic Practice, State Board of

2. Margo Gladding District 10  
46 Holmehurst Avenue  
Catonsville, MD 21228

Member of the State Board of Dietetic Practice; appointed to serve remainder of a term of four years from July 1, 2010

3. Lauren I. Mirkin District 42  
2520 Willow Glen Drive  
Baltimore, MD 21209

Member of the State Board of Dietetic Practice; appointed to serve remainder of a term of four years from July 1, 2009

**Education, State Board of**

4. Gayon Sampson District 3  
5850 Holly Hock Place  
Frederick, MD 21703

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2010

**Fire-Rescue Education and Training Commission**

5. Omara M. Boulware District 24  
1419 Farmingdale Avenue  
Capitol Heights, MD 20743

Member of the Fire-Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2008

6. John E. Dulina District 6  
1258 Sugarwood Circle, Unit 302  
Baltimore, MD 21221

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2006 and four years from July 1, 2010

7. Barbara A. Knippenburg District 1  
17608 Old Dan's Rock Road SW  
Frostburg, MD 21532

Member of the Fire-Rescue Education and Training Commission; appointed to serve remainder of a term of four years from July 1, 2008

8. Michael W. Robinson, Sr. District 42  
12 Bosley Lane  
Reisterstown, MD 21136

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2008

9. Reinhold C. Strobel District 31  
6417 Lacrosse Lane  
Glen Burnie, MD 21061

Member of the Fire-Rescue Education and Training Commission; reappointed to serve remainder of a term of four years from July 1, 2009

**Handgun Roster Board**

10. P. Michael Errico District 33  
702 Petersburg Road  
Davidsonville, MD 21035
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008
11. Claudette Gadsden–Hrobak District 43  
5218 Catalpha Road  
Baltimore, MD 21214
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008
12. James F. Laughland District 11  
227 Sandee Road  
Timonium, MD 21093
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008
13. George D. Mathias District 5  
3311 Benson Mill Road  
Upperco, MD 21155
- Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008
14. Russell N. Shea, Jr. District 46  
114 East Churchill Street  
Baltimore, MD 21230
- Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2008
15. Michael L. Tabor District 38  
5115 Thomas Long Road  
Crisfield, MD 21817
- Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2008



**Health Care Commission, Maryland**

16. Adam J. Weinstein, M.D. District 36  
411 Wallman Way  
Stevensville, MD 21666

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2009

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

17. Rasheed Tamir Kerriem District 41  
2309 Elsinore Avenue  
Baltimore, MD 21216

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term of three years from January 1, 2009

**Heritage Areas Authority, Maryland**

18. Donna Tully Dudley District 37  
9949 Eagle Drive  
Easton, MD 21601

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2010

19. John J. Fieseler District 4  
626 Francis Scott Key Highway  
Keymar, MD 21757

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2010

20. Andrea C. Harrison District 24  
3103 La Dova Way  
Springdale, MD 20774

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2006 and a term of four years from October 1, 2010

21. Donna M. Ware District 30  
16 Eastern Avenue  
Annapolis, MD 21403

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2008

### **Higher Education Commission, Maryland**

22. Alexia Van Orden District 46  
736 Dover Street  
Baltimore, MD 21230

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of one year from July 1, 2010

### **Historical Trust, Board of Trustees of the Maryland**

23. Larry S. Gibson, Esq. District 43  
237 Lambeth Road  
Baltimore, MD 21218

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of a term of four years from July 1, 2009

24. David A. Turner District 26  
10101 Livingston Road  
Broad Creek, MD 20744-4931

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve remainder of a term of four years from July 1, 2006 and a term of four years from July 1, 2010

### **School for the Deaf, Board of Trustees of the Maryland**

25. David A. Martin District 3  
504 Elm Street  
Frederick, MD 21701

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2009

### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Education, State Board of**

- S-1. Charlene M. Dukes, Ed.D. District 23  
10602 Wood Pointe Terrace  
Glenn Dale, MD 20769

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2010

- S-2. Donna Hill Staton District 13  
13827 Lakeside Drive  
Clarksville, MD 21029

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2010

**Fire-Rescue Education and Training Commission**

- S-3. R. Michael Clemens District 4  
8104 Pete Wiles Road  
Middleton, MD 21769

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2010

- S-4. Geoffrey L. Donahue District 8  
8 Valles Court  
Parkville, MD 21234

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2009

- S-5. Daniel J. Stevens District 28  
6461 Hawkins Gate Road  
La Plata, MD 20646

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2009

**Heritage Areas Authority, Maryland**

S-6. Ann M. Fligsten, Esq.  
1337 Kinloch Circle  
Arnold, MD 21012

District 30

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2010

**STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?**

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 162)

**QUORUM CALL**

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

(See Roll Call No. 163)

**INTRODUCTION OF RESOLUTIONS****Senate Resolution No. 114 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Chuck Brown  
in recognition of  
your nomination for a Grammy Award by  
the National Academy of Recording Arts.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 18th day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 164)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #8**

**Senate Bill 143 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Home Inspectors – Records – Retention Requirements**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 165)

The Bill was then sent to the House of Delegates.

**Senate Bill 147 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Home Inspectors – Continuing Professional Competency**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 166)

The Bill was then sent to the House of Delegates.

**Senate Bill 454 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 167)

The Bill was then sent to the House of Delegates.

**Senate Bill 455 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 168)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 169)

**ADJOURNMENT**

At 11:34 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 21, 2011 in memory of former Senator Louise Murphy.

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**Annapolis, Maryland**  
**Monday, February 21, 2011**  
**8:00 P.M. Session**

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The Senate met at 8:13 P.M.

Prayer by Reverend Kenneth Thom, All Hallows Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 178)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 231 – Senator Allan H. Kittleman:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Glenelg Field Hockey Team  
in recognition of  
winning the State AA Championship for 2011. We applaud your outstanding season  
and wish you many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 21st day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 179)

**Senate Resolution No. 237 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland

offers its sincerest congratulations to  
National FFA Alumni Association  
in recognition of  
your 40th Anniversary. We commend your efforts to promote agricultural education  
and leadership development.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 21st day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 180)

### INTRODUCTION OF BILLS

#### **Senate Bill 885 – Senator Garagiola**

AN ACT concerning

#### **Motor Vehicle Insurers – Standards for Cancellation or Refusal of Insurance – Driving While Impaired by Alcohol**

FOR the purpose of establishing that, subject to a certain provision of law, a conviction for driving while impaired by alcohol is included among the standards reasonably related to an insurer's economic and business purposes that may be applied by the insurer for purposes of canceling or refusing to underwrite or renew a particular insurance risk or class of risk in the case of private passenger motor vehicle insurance; and generally relating to standards for the cancellation or refusal of motor vehicle insurance and the offense of driving while impaired by alcohol.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–501(a)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(l)(1)(vi)  
Annotated Code of Maryland  
(2006 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 Rules.

**Senate Bill 886 – Senator Gladden**

AN ACT concerning

**State Board of Dental Examiners – Dentists – Advertisements – Materials  
Containing Mercury**

FOR the purpose of authorizing licensed dentists to advertise certain information relating to their dental practices and materials containing mercury; prohibiting the State Board of Dental Examiners from requiring a certain advertisement to contain a disclaimer; and generally relating to the State Board of Dental Examiners and advertisements by dentists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–503  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 887 – Senator Gladden**

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 Rules.

**Senate Bill 888 – Senator Gladden**

AN ACT concerning

**Trusts – Special Needs, Supplemental Needs, or Pooled Asset Special Needs  
Trusts – Public Benefits**

FOR the purpose of stating that the policy of this State is to encourage the use of certain special needs trusts or supplemental needs trusts by individuals with disabilities of all ages for certain reasons; requiring certain State agencies to adopt regulations that are not more restrictive than existing federal law, regulations, or policies with regard to the treatment of special needs trusts or supplemental needs trusts; requiring the regulations to allow certain funding and use of special needs trusts; establishing that a certain determination of the Internal Revenue Service or the Maryland Department of Assessments and Taxation regarding the nonprofit status of organizations that operate a pooled asset special needs trust is sufficient to satisfy a certain requirement of federal law; prohibiting State agencies from imposing additional requirements on organizations that operate a pooled asset special needs trust for a certain purpose; defining certain terms; and generally relating to special needs and supplemental needs trusts.

BY adding to

Article – Estates and Trusts  
Section 14–114  
Annotated Code of Maryland  
(2001 Replacement Volume and 2010 Supplement)

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

**Senate Bill 889 – Senator Gladden**

AN ACT concerning

**State Board of Dental Examiners – Dentists – Informed Consent – Removal of  
Materials Containing Mercury**

FOR the purpose of requiring dentists to obtain written informed consent from patients prior to performing any dental procedures or treatments that include the removal of dental materials containing mercury; specifying the content of

certain informed consent; requiring dentists to keep the original informed consent in a certain chart; requiring the State Board of Dental Examiners to adopt certain regulations; and generally relating to obtaining informed consent prior to performing any dental procedures or treatments that include the removal of dental materials containing mercury.

BY adding to

Article – Health Occupations

Section 4–506.1

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

**Senate Bill 890 – Senators Gladden, Benson, Currie, Forehand, Jacobs, Kasemeyer, King, Klausmeier, Madaleno, Montgomery, Muse, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Child in Need of Supervision Pilot Program – Expansion**

FOR the purpose of expanding the Child in Need of Supervision Pilot Program by requiring the Secretary of Juvenile Services to include Cecil County, Montgomery County, and Prince George’s County in the Pilot Program; requiring the Governor to include a certain general fund appropriation in the budget bills for certain fiscal years to be provided as grants to Cecil County, Montgomery County, and Prince George’s County to implement the expansion of the Pilot Program; altering a certain definition; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Child in Need of Supervision Pilot Program.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–10.1

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 891 – Senator Edwards**

AN ACT concerning

**Economic Development – Qualified Distressed Counties**

FOR the purpose of altering the definition of “qualified distressed county” for certain purposes, including the Maryland Economic Development Assistance Authority and Fund, the Linked Deposit Program, the One Maryland Economic Development Tax Credit, and the College Readiness Outreach Program; and generally relating to the definition of “qualified distressed county” for certain economic development purposes in the State.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 1–101(a) and (b)  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 1–101(e)  
Annotated Code of Maryland  
(2008 Volume and 2010 Supplement)

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

**Senate Bill 892 – Senator Madaleno**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009 to extend the deadline for the Board of Directors of CHI Centers, Inc. to present evidence that a matching fund will be provided for a certain grant; requiring that the Board of Public Works expend or encumber the proceeds of the loans by June 1, 2013; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009.

BY repealing and reenacting, with amendments,  
Chapter 290 of the Acts of the General Assembly of 2002, as amended by  
Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA00(OO)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AI)

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

**Senate Bill 893 – Senator Madaleno**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Montgomery County –  
LEDC Facility**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to extend the deadline for the Board of Directors of the Latino Economic Development Corporation 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(AO)

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

**Senate Bill 894 – Senators Madaleno, Garagiola, King, Manno, and Raskin**

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 Rules.

**Senate Bill 895 – Senator Madaleno**

AN ACT concerning

**Medical Professional Liability Insurance for Nonprofit Health Care  
Providers**

FOR the purpose of requiring counties to provide certain minimum amounts of medical professional liability insurance coverage for certain nonprofit health care providers; providing for the construction of certain provisions of this Act;

defining certain terms; and generally relating to medical professional liability insurance for certain nonprofit health care providers.

BY adding to

Article – Insurance

Section 19–104.1

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)

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

**Senate Bill 896 – Senator Dyson**

AN ACT concerning

**St. Mary’s County Board of Elections – Salary**

FOR the purpose of altering the salary of the members of the St. Mary’s County Board of Elections; providing that this Act does not apply to the salary or compensation of the incumbent members of the St. Mary’s County Board of Elections; and generally relating to the salary of the members of the St. Mary’s County Board of Elections.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–204(a)(19)

Annotated Code of Maryland

(2010 Replacement Volume)

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

**Senate Bill 897 – Senator Dyson**

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – Required Records and Hold Period**

FOR the purpose of requiring certain junk dealers and scrap metal processors to submit certain photographs of certain individuals to certain law enforcement units under certain circumstances; requiring certain junk dealers and scrap metal processors to hold certain items of junk and scrap metal for a certain period of time; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 17-1011  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**Senate Bill 898 – Senator Dyson**

AN ACT concerning

**St. Mary's County – Noncertificated Public School Employees – Service Fee**

FOR the purpose of authorizing the St. Mary's County Board of Education to negotiate with certain employee organizations for employees a reasonable service fee to be charged nonmember noncertificated employees for representing the employees in certain matters; making this Act applicable only to certain employees hired on or after a certain date; and generally relating to service fees for certain nonmember noncertificated public school employees in St. Mary's 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 Rules.

**Senate Bill 899 – Senator Dyson**

AN ACT concerning

**St. Mary's County – Certificated Public School Employees – Service or Representation Fee**

FOR the purpose of authorizing the St. Mary's County Board of Education to negotiate with the employee organization designated as the exclusive representative for a unit of certain certificated employees as to a service or representation fee for representing nonmember certificated employees in the unit in certain matters; making this Act applicable only to certain employees hired on or after a certain date; and generally relating to negotiations for a service or representation fee for an employee organization that represents certain public school employees in St. Mary's County.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6-407(a) and (b)

Annotated Code of Maryland  
(2008 Replacement Volume and 2010 Supplement)

BY adding to

Article – Education

Section 6–407(g)

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

**Senate Bill 900 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Maryland Food Bank**

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

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

**Senate Bill 901 – Senator Miller**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Prince  
George’s County – Site Plan Approval Authority**

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 Rules.

**Senate Bill 902 – Senator Miller**

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**

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 Rules.

**Senate Bill 903 – Senator Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Poole’s Store Restoration and Warehouse Construction**

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 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 Rules.

**Senate Bill 904 – Senator Getty**

AN ACT concerning

**Natural Resources – Certificate of Competency in Firearms and Hunter Safety – Exception**

FOR the purpose of establishing an exception for certain members of the United States armed forces and reserve components to the requirement that certain persons obtain a certificate of competency in firearms and hunter safety before obtaining a hunting license; making certain technical corrections; making certain stylistic changes; and generally relating to exceptions to the requirement to obtain a certificate of competency in firearms and hunter safety before obtaining a hunting license.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–301.1(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2010 Supplement)

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

**Senate Bill 905 – Senator Mathias**

AN ACT concerning

**Worcester County – Berlin – Alcoholic Beverages – Micro–Brewery License**

FOR the purpose of allowing a holder of a Class D beer license in the Town of Berlin in Worcester County to be issued a Class 7 micro–brewery license by the Comptroller under certain circumstances; specifying the hours for certain consumer sales; making a stylistic change; and generally relating to micro–breweries in Worcester County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 2-208  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 906 – Senator Mathias**

AN ACT concerning

**Worcester County – Department of Liquor Control – Wine and Liquor  
Purchasing Option**

FOR the purpose of abolishing the Liquor Control Board for Worcester County and replacing it with the Worcester County Department of Liquor Control; specifying that the Department is a department of the county government; specifying that the Department has certain powers; requiring the Board of County Commissioners to appoint the director of the Department; specifying that the director shall be the chief administrative officer of the Department; authorizing the director of the Department, subject to the approval of the Board of County Commissioners, to purchase or otherwise acquire certain alcoholic beverages and certain other property; specifying a certain maximum amount that a licensee may be charged by the Department for certain alcoholic beverages; authorizing an alcoholic beverages licensee in the county, beginning on a certain date, to elect to purchase wine or liquor from a licensed wholesaler in addition to or instead of from the Department; requiring a licensee to provide written notice within a certain time to the Department; requiring that the notice contain certain information; requiring that the Department issue, to the licensee, a letter of confirmation; requiring that a licensee display the letter conspicuously on the licensed premises; providing that the title to certain property, including appropriations, credits, assets, liabilities, contracts, and obligations of the Liquor Control Board are continued as the title to property of the Department; providing that a person granted certain authorization by the Liquor Control Board is considered by the Department to maintain that authorization; providing for the correction of certain cross-references under certain circumstances; defining certain terms; and generally relating to the Worcester County Department of Liquor Control.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6-201(y)(1), 6-301(y)(1), 6-401(y)(1), and 8-224(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 6–201(y)(7), 6–301(y)(8), 6–401(y)(2)(vi), 8–224(g), 8–603(d), 15–201(a),  
(b)(1), (e)(2), and (j), 15–202, and 15–205(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing

Article 2B – Alcoholic Beverages  
Section 15–201(d)(5), (h)(7), (i)(2), and (l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 15–201(c)(5) and 15–204(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

### **Senate Bill 907 – Senator Middleton**

AN ACT concerning

#### **Creation of a State Debt – Charles County – Bel Alton High School Community Development Center**

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

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

### **Senate Bill 908 – Senator Muse**

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 Rules.

**Senate Bill 909 – Senator Muse**

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 Rules.

**Senate Bill 910 – Senator Muse**

AN ACT concerning

**Horse Racing – State Racing Commission – Membership**

FOR the purpose of requiring that the Governor select a certain number of members of the State Racing Commission from a list provided by certain associations and from certain members of the public at large; requiring that the Governor select the chairperson of the State Racing Commission in a certain manner; declaring the intent of the General Assembly; and generally relating to the State Racing Commission.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 11–202

Annotated Code of Maryland

(2010 Replacement Volume and 2010 Supplement)

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

**Senate Bill 911 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Doctor Christina Phillips  
Community 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 Community Initiatives, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 912 – Senator Colburn**

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.

**Senate Bill 913 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Board of Elections – Membership and Compensation**

FOR the purpose of altering the number of regular members of the Caroline 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; altering the amount of compensation for the president and other regular members of the local board; making a stylistic change; and generally

relating to the membership and compensation of the Caroline 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(a)(6)

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 Rules.

**Senate Bill 914 – Senator Colburn (By Request – Dorchester County Council)**

AN ACT concerning

**Dorchester County – Electric Transmission Privilege Tax**

FOR the purpose of authorizing the County Council of Dorchester County to impose a tax on the privilege of engaging in the transmission of electricity in the county using certain long distance, extra–high voltage electric transmission lines; providing that the tax is the product of multiplying the miles of certain electric transmission lines and a certain base rate and the voltage carrying capacity of certain electric transmission lines; authorizing the county council, by ordinance, to set the base rate; providing that the base rate may not exceed a certain amount; providing for the use of the net proceeds of the tax; defining certain terms; and generally relating to a tax on the privilege of engaging in the transmission of electricity in Dorchester County.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1601 through 9–1604 to be under the new subtitle “Subtitle 16.

Dorchester County – Electric Transmission Privilege Tax”

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 915 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Shore UP! Head Start – Easton Elementary School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of Shore UP!, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 916 – Senator Colburn**

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.

**Senate Bill 917 – Senator Colburn**

AN ACT concerning

**Wicomico County – Alcoholic Beverages Licenses – Pub–Breweries and Micro–Breweries**



FOR the purpose of exempting certain alcoholic beverages businesses in Wicomico County from a certain prohibition against having a financial interest in a premises where alcoholic beverages are sold at retail or in any other business conducted by an alcoholic beverages licensee; altering the number of Class B beer, wine and liquor licenses that a person may hold and still remain eligible to be issued a pub-brewery or micro-brewery license; authorizing a holder of a certain license to be eligible to be issued a micro-brewery license and certain other licenses; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 12-104(a)(1) and (2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12-104(b)(1) and (e)(5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)

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

**Senate Bill 918 – Senator Colburn**

AN ACT concerning

**Real Property – Recordation of Deed – Foreclosure Sales**

FOR the purpose of requiring, in the case of a foreclosure sale, a deed to be recorded within a certain period of time after the date of the final order of ratification; and generally relating to recording a deed in a foreclosure sale.

BY adding to  
Article – Real Property  
Section 3-101.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2010 Supplement)

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

**Senate Bill 919 – Senators Mathias, Ferguson, Forehand, Jacobs, Ramirez, Raskin, and Stone**

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.

**Senate Bill 920 – Senator Middleton**

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 Rules.

**Senate Bill 921 – Senator DeGrange**

AN ACT concerning

**Prior Authorizations of State Debt to Fund Capital Projects – Alterations**

FOR the purpose of amending certain prior Acts of the General Assembly that authorized the creation of State Debt through the issuance, sale, and delivery of

general obligation bonds, the proceeds of which were designated for funding certain capital projects; extending the deadline by which certain loan proceeds must be expended or encumbered by the Board of Public Works; extending the deadline by which certain grantees must present evidence to the Board of Public Works that certain matching funds will be provided; altering and expanding the authorized uses of certain grants; altering the purpose of certain grants; altering the grantees under certain projects; altering the location of certain facilities for which grants are to be received; altering the requirement that certain grantees provide a certain matching fund; altering the matching fund requirements of certain grants; and generally relating to amending prior authorizations of State Debt by the General Assembly to fund certain capital projects.

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

BY repealing and reenacting, with amendments,

Chapter 715 of the Acts of the General Assembly of 2001, as amended by Chapter 94 of the Acts of the General Assembly of 2002 and Chapter 707 of the Acts of the General Assembly of 2009

Section 1

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003  
Section 12(3) Item (AQ)

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 (A) and (AZ)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item ZA01(O)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA00(T)

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)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA00(P)

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 ZA01(AM) and Item ZA02(AW) and (AX)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(G), (I), (K), (Z), (AG), and (AN) and Item ZA03(F), (H),  
(U), (AK), (AO), (AZ), (BG), (BJ), and (BP)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 372 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(M)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA00(K), Item ZA02(U), (AY), (BK), (BP), and (BX), and Item  
ZA03(I), (X), and (BO)

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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 181)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

### **THIRD READING CALENDAR (SENATE BILLS) #9**

**Senate Bill 148 – Senator Currie**

### **EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Largo High School PTSA Track Renovation**

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

Affirmative – 47      Negative – 0      (See Roll Call No. 182)

The Bill was then sent to the House of Delegates.

**Senate Bill 149 – Senator Currie**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Forestville Military Academy Track**

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

Affirmative – 47      Negative – 0      (See Roll Call No. 183)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 184)

**RECESS**

At 8:32 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:32 P.M. on Monday, February 21, 2011, to the Old Senate Chamber in honor of George Washington’s Birthday Celebration.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Monday, February 21, 2011**

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At 8:32 P.M. the Senate resumed its session.

Prayer by Reverend Kenneth Thom, All Hallows Episcopal Church, guest of Senator Mathias.

Ceremony in honor of George Washington's Birthday Celebration in the Old Senate Chamber, the address given by Senator James Mathias.

**SPEECH**

**Washington's Birthday Ceremony**  
**February 21, 2011**

**Remarks by Senator James N. Mathias, Jr.**

Good Evening,

Mr. President, colleagues of the Maryland Senate, distinguished guests, and most importantly to our fellow Marylanders, that through the republic that our founding fathers conceived, and our patriotic defenders of our liberties still fight today, both abroad and here at home, we have been sent to represent as their trustee, I thank you on behalf of my family. We are most humbled.

As a native Marylander, privileged to have lived throughout our great state, urban, suburban, rural, and coastal, I ask you to close your eyes for a moment and imagine that afternoon almost 228 years ago when Commander in Chief Washington offered his resignation. Recognizing our new nation's freedom as an accomplishment achieved by his fellow countrymen and soldiers efforts, Washington closed by asking their safety, and our country's protection be entrusted to the protection of our almighty God. His actions embodied humility, fortitude, leadership, and with undying commitment to our new country's independence, staked our country's claim and foundation to a true citizens' government. Tonight, let us honor a personal trait of our nation's founding father. Yes it is civility that was evident then and lives within us now to inspire our bright future.

George Washington did not like public speaking and, while he did appreciate reasoned debate, he was a life-long believer in both brevity and civility in debating issues vital to the future of the country.

In an article published several years ago, the state archivist related a story of Washington's willingness to preside over and listen to all sides of an argument, even when the discussion got warm and the debaters at times pressed their points too far for too long. In fact, at the Federal Constitutional Convention in Philadelphia in 1787, Benjamin Franklin was one of the last speakers to comment on the accomplishments of that distinguished body as they prepared themselves to sign the Constitution:

On the final day, as the last delegates were signing the document, Franklin pointed toward the sun on the back of the Convention president's chair. Observing that painters had found it difficult to distinguish in their art a rising sun from a setting sun, he went on to say: "I have often ... in the course of the session ... looked at that sun behind the President without being able to tell whether it was rising or setting. But now at length I have the happiness to know it is a rising and not a setting sun."

But Benjamin Franklin would not be the last speaker. On a Monday afternoon in September 1787, the Constitutional Convention was at last nearing the end of its deliberations and Franklin moved that the Convention sign the engrossed copy. But before the final question could be put, Nathaniel Gorham of Massachusetts, supported by his colleague Rufus King and Daniel Carroll of Maryland, offered a further motion that changed representation in the lower house from one representative per 40,000 to one per 30,000.

Having heard the debate, reviewed the record, and consulted with the experts outside the convention, Washington rose to make his one and only speech since the opening day. Washington told the delegates that he was sensible of "the impropriety of your chairman's intermingling in your debates, yet I cannot help observing, that the small number which constitutes the representative body, appears to be a defect in your plan. It would better suit my ideas and, I believe, it will be more grateful to the wishes of the people, if that number was increased."

So convincing was he that the motion passed without dissent, forcing the only erasure on the beautifully written official copy of the Constitution, an erasure still plainly in evidence today.

The people of Maryland first read about Washington's speech in the Baltimore *Maryland Gazette* of Friday, November 16, 1787. To the *Gazette*, Washington's remarks were a clear instance of the influence of a moral and great man. "[It] will, we presume, be acceptable to every reader who loves his country, and venerates its darling hero . . ."

In a gesture of support for representative democracy, Washington potentially doubled the representation of new states admitted to the Union. The previous July, the Confederation Congress had passed the Northwest Ordinance permitting the formation of new states in the Ohio country when their population reached 60,000. With Washington's erasure they could now have two representatives instead of one.

Equally important, Washington offered an olive branch to the Constitution's harshest critics, among whom was his neighbor George Mason. In December 1787, Mason admitted in the Baltimore *Maryland Journal* that his fear that the House of Representatives would be "the shadow only of representation" was "in some degree lessened by an amendment often before refused, and at last made by an erasure, after the engrossing on parchment, of the word forty, and inserting thirty." By his support of the change, Washington reached out to friends and foes alike, demonstrating to the world that the carefully written document awaiting the signatures of the Convention could never be finished but always would be subject to correction and change.

Note that he did so with brevity and carefully orchestrated civility. From childhood he trained himself in the Rules of Civility that his tutor had him transcribe in his always neat and precise handwriting, handwriting that today is so legible that it can still be easily read. Sometime before the age of 16, he transcribed 110 rules of behavior which he memorized and incorporated into the very being of his actions for the rest of his life, rules that those of us who engage in debating and shaping public policy should heed. I will leave you with but two, respectfully encouraging you to reflect on them all.

1st Every Action done in Company, ought to be with Some Sign of Respect, to those that are Present.

110th Labor to keep alive in your breast that little spark of celestial fire called conscience.

Over one hundred years after George Washington copied the 110 rules of civility for himself to learn and follow, another president attempted to remind the nation that no political debate should lead to civil war, the ultimate in uncivil behavior. As all of us approach the difficult days ahead of debate on matters large and small, let us heed not only Washington's rules and his approach to public speaking on the issues of the day, but also to the words of another president who we also honor this day, Abraham Lincoln:

"I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."

As we gather together this evening, in this historic chamber, join me as grateful Marylanders, and pledge to carry forward the character of our first president, who stood and spoke in this very place. Civility must burn bright: to light our way and insure the fabric of our great nation's future. While our passions and beliefs drive us forward, it is our civility and character that will truly transcend our time in this hallowed place.



**ADJOURNMENT**

At 9:05 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 22, 2011.

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**Annapolis, Maryland**  
**Tuesday, February 22, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Reverend Megan Foley, Sugarloaf Congregation of Unitarian Universalists, guest of Senator Raskin.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 186)

**INTRODUCTION OF BILLS**

**Senate Bill 922 – Senator McFadden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore City –  
Mary Harvin Transformation Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to extend the deadline by which a certain grantee must present evidence that a matching fund will be provided; 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  
Section 1(3) Item ZA01(V)

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

**Senate Bill 923 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Junior League of Baltimore Thrift Store**

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

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

**Senate Bill 924 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Baltimore City – St. Elizabeth School Roof Replacement**

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 St. Elizabeth School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #5**

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

**Senate Bill 116 – Senators Garagiola, Madaleno, Raskin, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kelley, King, Manno, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Young, and Zirkin**

AN ACT concerning

**Religious Freedom and Civil Marriage Protection Act**

**SB0116/418771/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 116

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “State;” insert “making stylistic and conforming changes in certain provisions of law prohibiting marriages within certain degrees of relationship;”; in line 5, after “right;” insert “prohibiting certain religious entities from being required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual under certain circumstances; providing that a certain refusal may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from certain entities;”; in line 6, strike “a certain provision of”; and in line 10, after “2–201” insert “and 2–202”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“2–202.

(a) Any marriage performed in this State that is prohibited by this section is void.

(b) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL’S:

[(i) grandmother;

(ii) mother;

(iii) daughter;

(iv) sister; or

(v) granddaughter.

(2) A woman may not marry her:

- (i) grandfather;
- (ii) father;
- (iii) son;
- (iv) brother; or
- (v) grandson]
- (I) GRANDPARENT;**
- (II) PARENT;**
- (III) CHILD;**
- (IV) SIBLING; OR**
- (V) GRANDCHILD.**

**[(3)] (2)** An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$1,500.

(c) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL'S:

- [(i)]** grandfather's wife;
- [(ii)]** wife's grandmother;
- [(iii)]** father's sister;
- [(iv)]** mother's sister;
- [(v)]** stepmother;
- [(vi)]** wife's mother;

(vii) wife's daughter;

(viii) son's wife;

(ix) grandson's wife;

(x) wife's granddaughter;

(xi) brother's daughter; or

(xii) sister's daughter.

(2) A woman may not marry her:

(i) grandmother's husband;

(ii) husband's grandfather;

(iii) father's brother;

(iv) mother's brother;

(v) stepfather;

(vi) husband's father;

(vii) husband's son;

(viii) daughter's husband;

(ix) husband's grandson;

(x) brother's son;

(xi) sister's son; or

(xii) granddaughter's husband]

**(I) GRANDPARENT'S SPOUSE;**

(II) SPOUSE'S GRANDPARENT;

(III) PARENT'S SIBLING;

(IV) STEPPARENT;

(V) SPOUSE'S PARENT;

(VI) SPOUSE'S CHILD;

(V) CHILD'S SPOUSE;

(VI) GRANDCHILD'S SPOUSE;

(VII) SPOUSE'S GRANDCHILD; OR

(VIII) SIBLING'S CHILD.

[(3)](2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.”.

AMENDMENT NO. 3

On page 2, after line 3, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by a religious organization, association, or society, may not be required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual if the request for the services, accommodations, advantages, facilities, goods, or privileges is related to the solemnization of a marriage or celebration of a marriage that is in violation of the entity's religious beliefs.

(b) A refusal by an entity described in subsection (a) of this section to provide services, accommodations, advantages, facilities, goods, or privileges in accordance with subsection (a) of this section may not create a civil claim or cause of action or

constitute the basis for the withholding of governmental benefits or services from the entity.”;

and in line 4, strike “3.” and substitute “4.”

The preceding 3 amendments were read only.

Senator Raskin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 72 – Senator Benson**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Surviving Spouse  
Licenses – Deadlines**

**SB0072/914534/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 72

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Deadlines” insert “and Examination Requirements”; in line 6, after “application;” insert “requiring the Board to administer a certain examination at least a certain number of times; altering the number of times a certain individual may fail a certain examination before a certain license becomes null and void;”; and strike beginning with “altering” in line 7 down through “examination;” in line 8.

AMENDMENT NO. 2



On page 2, in line 1, strike “60” and substitute “10”; in line 5, strike the brackets; in the same line, strike “2 YEARS”; in line 8, after “(2)” insert:

**“(I) THE BOARD SHALL ADMINISTER THE LAW EXAMINATION TO AN APPLICANT FOR A SURVIVING SPOUSE LICENSE AT LEAST THREE TIMES.**

**(II)**”;

and in line 9, strike “twice” and substitute “**THREE TIMES**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 188 – Senators Kittleman, Astle, Brinkley, Brochin, Colburn, Conway, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, McFadden, Middleton, Peters, Pipkin, Raskin, Reilly, Shank, Simonaire, and Young**

AN ACT concerning

**Recreational Fishing Licenses – Exemption for Disabled Armed Forces Members**

**SB0188/594730/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO SENATE BILL 188**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, strike beginning with “for” in line 2 down through “Members” in line 3; in line 4, strike “creating an” and substitute “authorizing the Department of Natural Resources to issue an annual”; strike beginning with “for” in line 5 down

through “disability” in line 6 and substitute “to a governmental entity or nonprofit organization to take individuals serving or who have served in the armed forces with physical or mental disabilities fishing in certain waters; providing that the exemption applies to certain individuals attending to a certain disabled individual; requiring an application for the exemption to be submitted to the Department on a certain form; requiring a certain governmental entity or nonprofit organization to submit a certain report containing certain information within a certain time frame”; and strike in their entirety lines 9 through 23, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–217

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)”.

#### AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 2 on page 2 through line 2 on page 4, inclusive, and substitute:

“4–217.

(a) (1) The Department may issue a 1–day license exemption to a nonprofit organization to take individuals with physical or mental disabilities fishing from shore in the tidal or nontidal waters of the State.

(2) The primary caregiver or representative of the organization attending to the disabled individuals is included in the license exemption **UNDER THIS SUBSECTION.**

[(b)] (3) Application for a license exemption for an organization attending to disabled individuals shall state the location, time, and day of the event and the number of individuals covered by the exemption.

**(B) (1) THE DEPARTMENT MAY ISSUE AN ANNUAL LICENSE EXEMPTION TO A GOVERNMENTAL ENTITY OR A NONPROFIT ORGANIZATION TO TAKE INDIVIDUALS WITH PHYSICAL OR MENTAL DISABILITIES WHO ARE SERVING OR HAVE SERVED IN THE ARMED FORCES FISHING IN THE TIDAL OR NONTIDAL WATERS OF THE STATE.**

**(2) THE PRIMARY CAREGIVER OR REPRESENTATIVE OF THE GOVERNMENTAL ENTITY OR A NONPROFIT ORGANIZATION ATTENDING TO A DISABLED INDIVIDUAL UNDER THIS SUBSECTION IS INCLUDED IN THE LICENSE EXEMPTION.**

**(3) AN APPLICATION FOR A LICENSE EXEMPTION FOR A GOVERNMENTAL ENTITY OR A NONPROFIT ORGANIZATION ATTENDING TO A DISABLED INDIVIDUAL UNDER THIS SUBSECTION SHALL BE MADE ON A FORM PROVIDED BY THE DEPARTMENT.**

**(4) A GOVERNMENTAL ENTITY OR A NONPROFIT ORGANIZATION WITH AN EXEMPTION UNDER THIS SUBSECTION SHALL SUBMIT A REPORT TO THE DEPARTMENT BY JANUARY 1 OF THE YEAR FOLLOWING THE EXEMPTION PERIOD THAT STATES:**

**(I) THE LOCATIONS FISHED UNDER THE EXEMPTION;**

**(II) THE DATES THE EXEMPTION WAS USED; AND**

**(III) THE NUMBER OF INDIVIDUALS WHO WERE COVERED BY THE EXEMPTION.**

**(c) The primary caregiver or representative of the GOVERNMENTAL ENTITY OR NONPROFIT organization EXEMPTED UNDER SUBSECTIONS (A) OR (B) OF THIS SECTION shall have in possession the letter of exemption from the Director of the Fisheries Service while the organization is engaged in fishing activity.**

**(d) An individual covered under [the organization's] A license exemption UNDER SUBSECTION (A) OR (B) OF THIS SECTION may:**

**(1) Engage in angling on the nontidal waters of the State without holding an angler's license under § 4-604 of this title;**

**(2) Engage in angling for trout on the nontidal waters of the State without holding a trout stamp under § 4-614 of this title; and**

(3) Fish for finfish in the Chesapeake Bay and its tributaries or in the State waters of the Atlantic Ocean and the Atlantic coastal bays and tributaries without holding a Chesapeake Bay and coastal sport fishing license under § 4-745 of this title.

(e) An angler's license is not required of the following:

(1) A convalescent patient of a veterans' hospital hospitalized for a service-connected disability who fishes in waters of the State if the patient secures a permit issued by a special service officer of the American Red Cross under authority granted by the Department;

(2) A patient who is under treatment by a State-approved mental health facility and an individual who attends or resides in a State-approved retardation facility; or

(3) A caregiver, family member, or designee of a mental health care facility or private group home of a patient who is under treatment by a State-approved mental health facility, if:

(i) The administrator of the mental health care facility, or treating physician or psychologist provides the Department with a letter stating that the caregiver or family member is the primary caretaker of the patient; or

(ii) The individual accompanying the patient carries a copy of the letter described under item (i) of this paragraph, or a professional license or certificate of a health care professional involved in the care of the patient.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 221 – Senator Conway**

EMERGENCY BILL

AN ACT concerning

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

**SB0221/194733/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 221

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “exempting certain aircraft from the application of a prohibition on the manufacture, lease, sale, or distribution for sale or lease of certain products that contain decabrominated diphenyl ether;”.

AMENDMENT NO. 2

On page 2, in line 9, strike “or” and substitute:

**“2. AN AIRCRAFT, AS DEFINED IN § 5-101 OF THE TRANSPORTATION ARTICLE; OR”;**

in line 10, strike “2.” and substitute “**3.**”; in line 11, after “vehicle” insert “**OR AIRCRAFT**”; and in lines 14, 21, and 28, in each instance, after “MASS” insert “**OF THE PRODUCT AS A WHOLE**”.

The preceding 2 amendments were read and adopted.

Senator Getty moved, duly seconded, to make the Bill and Report a Special Order for February 23, 2011.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 322 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Registered Veterinary  
Technician**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #5**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 124 – Senator Astle**

AN ACT concerning

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

**SB0124/104434/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 124  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Astle” and substitute “Senators Astle, Conway, Dyson, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Rosapepe, Simonaire, and Young”.

AMENDMENT NO. 2

On page 2, strike beginning with the second comma in line 2, down through “SYMBOL” in line 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 163 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Board of Elections – Membership**

**SB0163/794834/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 163

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “, Young, and Middleton”; in line 2, before “Frederick” insert “Charles County and”; in the same line, strike “Board” and substitute “Boards”; in line 4, after “on” insert “the Charles County Board of Elections and”; in lines 5 and 6, in each instance, strike “board” and substitute “boards”; in line 7, after “change;” insert “providing for the effective date of this Act;”; in the same line, after “to” insert “the Charles County Board of Elections and”; and in line 11, after “(b)” insert “and 2-204(a)(9) and (11)”.

AMENDMENT NO. 2

On page 2, in line 15, after “In” insert “CHARLES COUNTY,”; and after line 27, insert:

“(a) Each regular member of a local board shall receive the salary and reimbursement of expenses provided in the county budget, but in no event may the annual compensation be less than the following amounts:

(9) in Charles County, \$800;

(11) in Frederick County, \$5,500 for the president and \$5,000 for other regular members;”.

AMENDMENT NO. 3

On page 3, in line 9, strike “October 1” and substitute “June 6”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

### **Senate Bill 192 – Harford County Senators**

AN ACT concerning

#### **Harford County – Board of Elections – Membership**

**SB0192/134835/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENT TO SENATE BILL 192

(First Reading File Bill)

On page 1, in line 6, after “manner;” insert “providing for the effective date of this Act;”.

On page 4, in line 18, strike “October 1” and substitute “June 6”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

### **Senate Bill 225 – Senators Dyson and Middleton**

AN ACT concerning

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



**SB0225/534231/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 225

(First Reading File Bill)

On page 3, in line 18, strike “October” and substitute “June”.

The preceding amendment was read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #4**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 98 – Senator McFadden**

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 170 – Senator McFadden**

AN ACT concerning

**Baltimore City – Education – Construction Bond Authority**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 207 – Calvert County Senators**

AN ACT concerning

**Calvert County – Public Facilities Bonds**

**SB0207/979032/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 207

(First Reading File Bill)

On page 1, in line 4, strike “\$20,855,000” and substitute “\$12,325,000”.

On page 2, in line 5, strike “\$20,855,000” and substitute “\$12,325,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 272 – Senator Edwards**

AN ACT concerning

**Garrett County – Tax Sales – Auctioneer’s Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 279 – Senator Colburn**

AN ACT concerning

**Dorchester County – Tax Sales – Advertisement and Auctioneer Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 373 – Senators Kasemeyer and DeGrange**

AN ACT concerning

**Video Lottery Operation Licensees – Noninterference**

**SB0373/969838/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 373

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 9, after “provisions;” insert “making this Act an emergency measure”.

AMENDMENT NO. 2

On page 2, in line 21, strike “AND”; and in line 27, after “INTEREST” insert “;  
AND

**3. THAT ALLOW THE COMMISSION TO IMPOSE SANCTIONS AND PENALTIES IN ACCORDANCE WITH § 9-1A-25 OF THIS SUBTITLE IF A LICENSEE KNOWINGLY VIOLATES PARAGRAPH (1) OF THIS SUBSECTION**”.

AMENDMENT NO. 3

On page 2, strike beginning with “shall” in line 28 down through “2011” in line 29 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON FINANCE REPORT #5**

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

**Senate Bill 210 – Senators Kelley, Conway, Jones–Rodwell, Middleton, and Pugh**

AN ACT concerning

**Real Estate Settlements – Paying or Receiving Consideration – Penalties**

**SB0210/397674/1**

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 210

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 6, strike “action” and substitute “actions”; in the same line, strike “a”; in line 7, strike “licensee” and substitute “licensees”; in the same line, after the semicolon, insert “repealing a certain definition; making a clarifying change;”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 16–701(a)(1)(xii) and (xiii), 16–701.1(a)(7) and (8), and 17–322(b)(34) and (35)

Annotated Code of Maryland  
(2010 Replacement Volume)

BY adding to

Article – Business Occupations and Professions  
Section 16–701(a)(1)(xiv), 16–701.1(a)(9), and 17–322(b)(36)  
Annotated Code of Maryland  
(2010 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Financial Institutions  
Section 11–517(a)(4) and (5) and 11–615(a)(4) and (5)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to

Article – Financial Institutions  
Section 11–517(a)(6) and 11–615(a)(6)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 10–126(a)(22) and (23) and (b)(1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)

BY adding to

Article – Insurance  
Section 10–126(a)(24)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2010 Supplement)”.

## AMENDMENT NO. 2

On page 2, strike lines 7 and 8 in their entirety; in lines 9 and 11, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively; and in line 15, after “license” insert “, **AS DEFINED IN § 10–101 OF THE INSURANCE ARTICLE**”.

On page 3, in line 1, strike “(1)”; strike beginning with “LICENSED” in line 2 down through “ARTICLE” in line 5; in line 6, after “ACTION” insert “, INCLUDING CIVIL AND ADMINISTRATIVE PENALTIES,”; in the same line, strike “THE APPROPRIATE” and substitute “THE PERSON’S”; and strike in their entirety lines 7 through 12, inclusive.

### AMENDMENT NO. 3

On page 3, after line 13, insert:

“Article – Business Occupations and Professions

16–701.

(a) (1) Subject to the hearing provisions of § 16–602 of this title, the Commission may deny a real estate appraisal license to any applicant, deny a certificate to any applicant, reprimand any real estate appraiser licensee, reprimand any certificate holder, or suspend or revoke a real estate appraisal license or certificate if the real estate appraisal applicant, license holder, or certificate holder:

(xii) violates any other provision of this title; [or]

(xiii) violates any regulation adopted under this title; OR

**(XIV) VIOLATES § 14–127 OF THE REAL PROPERTY ARTICLE.**

16–701.1.

(a) Subject to the hearing provisions of § 16–602 of this title, the Commission may deny a home inspector license to any applicant, reprimand any home inspector licensee, or suspend or revoke a home inspector license if the applicant or licensee:

(7) violates any regulation adopted under this title; [or]

(8) aids, abets, or assists any person in violating any provision of this title or any regulation adopted under this title; OR

**(9) VIOLATES § 14–127 OF THE REAL PROPERTY ARTICLE.**

17-322.

(b) Subject to the hearing provisions of § 17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if the applicant or licensee:

(34) violates § 17-320(d) of this subtitle by failing as a branch office manager to exercise reasonable and adequate supervision over the provision of real estate brokerage services by any salesperson or associate broker registered with that office; [or]

(35) has been disciplined under a real estate licensing law of another jurisdiction; OR

**(36) VIOLATES § 14-127 OF THE REAL PROPERTY ARTICLE.**

Article – Financial Institutions

11-517.

(a) Subject to the hearing provisions of § 11-518 of this subtitle, the Commissioner may suspend or revoke the license of any licensee if the licensee or any owner, director, officer, member, partner, stockholder, employee, or agent of the licensee:

(4) Violates any provision of this subtitle or any rule or regulation adopted under it or any other law regulating mortgage loan lending in the State; [or]

(5) Otherwise demonstrates unworthiness, bad faith, dishonesty, or any other quality that indicates that the business of the licensee has not been or will not be conducted honestly, fairly, equitably, and efficiently; OR

**(6) VIOLATES § 14-127 OF THE REAL PROPERTY ARTICLE.**

11-615.

(a) Subject to the hearing provisions of § 11-616 of this subtitle, and except as provided in subsection (f) of this section, the Commissioner may suspend or revoke the license of any licensee if the licensee:

(4) Violates any provision of this subtitle, any regulation adopted under this subtitle, or any other law regulating mortgage lending or mortgage origination in the State; [or]

(5) Otherwise demonstrates unworthiness, bad faith, dishonesty, or any other quality that indicates that the business of the licensee has not been or will not be conducted honestly; OR

**(6) VIOLATES § 14–127 OF THE REAL PROPERTY ARTICLE.**

Article – Insurance

10–126.

(a) The Commissioner may deny a license to an applicant under §§ 2–210 through 2–214 of this article, or suspend, revoke, or refuse to renew or reinstate a license after notice and opportunity for hearing under §§ 2–210 through 2–214 of this article if the applicant or holder of the license:

(22) has failed to pay income tax or related interest or penalty under:

(i) an assessment under the Tax – General Article that is final and no longer subject to review by the tax court; or

(ii) an order of the tax court that is final and no longer subject to judicial review; [or]

(23) in providing information under § 10–118 of this subtitle regarding the termination of an appointment with an insurer, has made an inaccurate statement with actual malice; OR

**(24) VIOLATED § 14–127 OF THE REAL PROPERTY ARTICLE.**

(b) (1) The Commissioner may deny a license to an applicant business entity under §§ 2–210 through 2–214 of this article, or suspend, revoke, or refuse to renew or reinstate a license of a business entity after notice and opportunity for hearing under §§ 2–210 through 2–214 of this article, if an individual listed in paragraph (2) of this subsection has:



(i) violated any provision of this subtitle;

(ii) been convicted of a felony, a crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust; [or]

(iii) had any professional license suspended or revoked for a fraudulent or dishonest practice; OR

**(IV) VIOLATED § 14-127 OF THE REAL PROPERTY ARTICLE.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 228 – Senators Glassman, Astle, Garagiola, Jennings, Kelley, Klausmeier, Middleton, Montgomery, Pipkin, Pugh, Shank, and Simonaire**

AN ACT concerning

**Agricultural Product Sales – Producer Mobile Farmer’s Market License – Public Festival and Event Authorization**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 255 – Senator Middleton**

AN ACT concerning

**Life Insurance – Definition**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 255

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Definition” insert “and Permitted Riders and Provisions”; in line 4, after “benefits;” insert “authorizing a policy of life insurance to include a certain rider or supplemental policy provision;”; and after line 12, insert:

“BY adding to

Article – Insurance

Section 16–218

Annotated Code of Maryland

(2006 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“16–218.

A POLICY OF LIFE INSURANCE MAY INCLUDE A RIDER OR SUPPLEMENTAL POLICY PROVISION THAT OPERATES TO SAFEGUARD THE CONTRACT FROM LAPSE IN THE EVENT OF INVOLUNTARY UNEMPLOYMENT.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 256 – Senators Middleton and Kelley**

AN ACT concerning

**Business Regulation – Definition of Home Builder**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 271 – Senator Edwards**

AN ACT concerning

**Public Utilities – Net Energy Metering – Hydroelectric**

**SB0271/797170/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 271

(First Reading File Bill)

On page 2, in line 2, after “THAT” insert “:

**(I)**”;

in line 3, after “A” insert “**POTABLE**”; and in the same line, after “SYSTEM” insert “;

**(II) IS OWNED OR OPERATED BY A MUNICIPALITY OR PUBLIC WATER AUTHORITY; AND**

**(III) IS DESIGNED TO PRODUCE LESS ENERGY THAN IS CONSUMED TO OPERATE THE WATER SUPPLY SYSTEM**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

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

**Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Juvenile Services)**

AN ACT concerning

**Courts – Natural Resources Violations – Jurisdiction**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 23, 2011.

The motion was adopted.

**Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

**SB0159/123027/1**

BY: Senator Astle

AMENDMENTS TO SENATE BILL 159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Poaching –” insert “Monitoring and”; in line 3, after “of” insert “requiring the Department of Natural Resources to operate a helicopter for certain purposes relating to the unlawful taking of oysters;”; in line 6, strike “of Natural Resources”; after line 13 insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4-205(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2010 Supplement)”;

and in line 16, after “Section” insert “4-205(m) and”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“4-205.

(a) The Department may operate, sell, buy, lease, exchange, rent, or repair any vehicle, vessel, boat, net, or other equipment necessary for its work. It may equip a vehicle, vessel, or boat, which it owns or operates, with any required arms, ammunition, or equipment. The Department’s authority under this subsection is subject to the provisions of law concerning budget and procurement.

**(M) THE DEPARTMENT SHALL OPERATE A HELICOPTER TO:**

**(1) MONITOR THE OYSTER FISHERY;**

**(2) DETECT ANY UNLAWFUL TAKING OF OYSTERS IN STATE WATERS; AND**

**(3) AID GENERALLY IN ENFORCEMENT ACTIONS RELATED TO THE UNLAWFUL TAKING OF OYSTERS UNDER THIS TITLE.”.**

The preceding 2 amendments were read only.

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for February 23, 2011.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 187)

**ADJOURNMENT**

At 11:01 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 23, 2011.

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**Annapolis, Maryland**  
**Wednesday, February 23, 2011**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Pastor James “Pat” Packett, Chesapeake Christian Fellowship, guest of Senator Reilly

(See Exhibit A of Appendix III)

The Journal of February 22, 2011 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 194)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 243 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Library Community  
in recognition of  
the 2011 Maryland Library Day, which acknowledges the innovative services provided  
by all Maryland libraries and the broad-based community support they enjoy.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 23rd day of February 2011.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 195)

**INTRODUCTION OF BILLS**

**Senate Bill 925 – Senator Conway**

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.

**Senate Bill 926 – Senators Glassman, Jacobs, and Jennings**

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; setting the annual license fee; 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 Rules.

### MESSAGE TO THE SENATE

February 23, 2011

By the Majority Leader:  
Ladies and Gentlemen of the Senate:

We propose with your concurrence a joint session of the General Assembly at 11:00 a.m. on February, 24, 2011 for the election and qualifying of the Treasurer of the State of Maryland by joint ballot in accordance with Article 6 Section 1 and 5 of the Constitution.

We have appointed Delegates Tarrant and Gilchrist to escort your Honorable Body to the House Chamber for this Joint Session.

We further propose a joint committee of four, two on the part of the House and two on the part of the Senate to escort the Treasurer-Elect. We have appointed on the part of the House, Delegates Glenn and Lee.

We propose a Joint Committee of four, two on the part of the House and two on the part of the Senate to escort the Lieutenant Governor to the House Chamber. We have appointed on the part of the House, Delegates Vaughn and Frank.

We further propose the appointment of a Joint Committee of four, two on the part of the House and two on the part of the Senate to escort the Governor to the House Chamber. We have appointed Delegates Eckardt and Donoghue.

By Order, Mary Monahan, Chief Clerk

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

February 23, 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 at 11:00 a.m. on Thursday, February 24, 2011, for the purpose of

the election and qualifying of the Treasurer of the State of Maryland, by joint ballot in accordance with Article 6, Sections 1 and 5, of the Constitution.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Stone and Pipkin as members of the joint committee to escort the Treasurer–Elect.

We have also appointed as members of the joint committee, Senators Pugh and Colburn to escort the Lt. Governor to the House Chamber.

We have further appointed Senators Garagiola and Jacobs as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 116 – Senators Garagiola, Madaleno, Raskin, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kelley, King, Manno, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Young, and Zirkin**

AN ACT concerning

### **Religious Freedom and Civil Marriage Protection Act**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

**SB0116/418771/1**

BY: Judicial Proceedings Committee

### AMENDMENTS TO SENATE BILL 116

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “State;” insert “making stylistic and conforming changes in certain provisions of law prohibiting marriages within certain degrees of relationship;”; in line 5, after “right;” insert “prohibiting certain religious entities from being required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual under certain circumstances; providing that a certain refusal may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from certain entities;”; in line 6, strike “a certain provision of”; and in line 10, after “2-201” insert “and 2-202”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“2-202.

(a) Any marriage performed in this State that is prohibited by this section is void.

(b) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL’S:

[(i) grandmother;

(ii) mother;

(iii) daughter;

(iv) sister; or

(v) granddaughter.

(2) A woman may not marry her:

(i) grandfather;

(ii) father;

(iii) son;

(iv) brother; or

(v) grandson]

(I) GRANDPARENT;

(II) PARENT;

(III) CHILD;

(IV) SIBLING; OR

(V) GRANDCHILD.

[(3)] (2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$1,500.

(c) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL’S:

[(i) grandfather’s wife;

(ii) wife’s grandmother;

(iii) father’s sister;

(iv) mother’s sister;

(v) stepmother;

(vi) wife’s mother;

(vii) wife’s daughter;

(viii) son’s wife;

(ix) grandson’s wife;

(x) wife’s granddaughter;

(xi) brother's daughter; or

(xii) sister's daughter.

(2) A woman may not marry her:

(i) grandmother's husband;

(ii) husband's grandfather;

(iii) father's brother;

(iv) mother's brother;

(v) stepfather;

(vi) husband's father;

(vii) husband's son;

(viii) daughter's husband;

(ix) husband's grandson;

(x) brother's son;

(xi) sister's son; or

(xii) granddaughter's husband]

**(I) GRANDPARENT'S SPOUSE;**

**(II) SPOUSE'S GRANDPARENT;**

**(III) PARENT'S SIBLING;**

**(IV) STEPPARENT;**

(V) SPOUSE’S PARENT;

(VI) SPOUSE’S CHILD;

(V) CHILD’S SPOUSE;

(VI) GRANDCHILD’S SPOUSE;

(VII) SPOUSE’S GRANDCHILD; OR

(VIII) SIBLING’S CHILD.

[(3)](2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.”.

AMENDMENT NO. 3

On page 2, after line 3, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by a religious organization, association, or society, may not be required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual if the request for the services, accommodations, advantages, facilities, goods, or privileges is related to the solemnization of a marriage or celebration of a marriage that is in violation of the entity’s religious beliefs.

(b) A refusal by an entity described in subsection (a) of this section to provide services, accommodations, advantages, facilities, goods, or privileges in accordance with subsection (a) of this section may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from the entity.”;

and in line 4, strike “3.” and substitute “4.”

The preceding 3 amendments were read and adopted.

## FLOOR AMENDMENT

**SB0116/553720/1**

BY: Senator Muse

AMENDMENT TO SENATE BILL 116, AS AMENDED

On page 5 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 8 of Amendment No. 3, after “to” insert “:

(1)”;

and in line 9, after “beliefs” insert “; or

(2) the promotion of marriage, through religious programs, counseling, educational courses, summer camps, and retreats, in violation of the entity’s religious beliefs”.

The preceding amendment was read and adopted.

## FLOOR AMENDMENT

**SB0116/553221/1**

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 116, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 5 of Amendment No. 1, after “circumstances;” insert “prohibiting certain fraternal benefit societies from being required to admit an individual as a member or provide insurance benefits to an individual under certain circumstances;”; and in lines 5 and 6, strike “a certain refusal” and substitute “certain refusals”.

AMENDMENT NO. 2

On page 2 of the bill, in line 4, after “ENACTED,” insert “That:”

(a) Notwithstanding any other provision of law, a fraternal benefit society described in § 8–402 of the Insurance Article that is operated, supervised, or controlled by a religious organization may not be required to admit an individual as a member or to provide insurance benefits to an individual if to do so would violate the society’s religious beliefs.

(b) A refusal by a fraternal benefit society described in subsection (a) of this section to admit an individual as a member or to provide insurance benefits to an individual may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from the fraternal benefit society.

SECTION 5. AND BE IT FURTHER ENACTED,”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**SB0116/903120/1**

BY: Senator Peters

AMENDMENT TO SENATE BILL 116, AS AMENDED

On page 5 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 10 of Amendment No. 3, after “(b)” insert “This Act may not be construed to require an entity described in subsection (a) of this section to provide adoption, foster care, or social services if providing the services would violate the entity’s religious beliefs.”

(c”;

in line 12, after “section” insert “or to provide adoption, foster care, or social services in accordance with subsection (b) of this section”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 17      Negative – 30      (See Roll Call No. 196)



## FLOOR AMENDMENT

**SB0116/443628/1**

BY: Senator Jacobs

AMENDMENT TO SENATE BILL 116, AS AMENDED

On page 5 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 10 of Amendment No. 3, after “(b)” insert “This Act may not be construed to require an entity described in subsection (a) of this section to provide marriage counseling or mediation services if providing the services would violate the entity’s religious beliefs.”

(c”;

in line 12, after “section” insert “or to provide marriage counseling or mediation services in accordance with subsection (b) of this section”.

The preceding amendment was withdrawn.

## FLOOR AMENDMENT

**SB0116/493323/1**

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 116

(First Reading File Bill)

On page 2, in line 4, before “AND” insert:

“AND BE IT FURTHER ENACTED, That this Act may not be construed to require an individual, sole proprietor, or owner of a small business, as defined in § 7–218 of the Tax – General Article, to provide, in violation of the individual’s, sole proprietor’s, or small business owner’s sincerely held religious beliefs, any:

(a) goods or services that assist or promote the solemnization or celebration of a marriage;

(b) counseling or other services that directly facilitate the perpetuation of a marriage;

(c) benefits to any spouse of an employee of the individual, sole proprietor, or small business owner; or

(d) housing to any married couple.

SECTION 5.”

The preceding amendment was withdrawn.

FLOOR AMENDMENT

**SB0116/633921/1**

BY: Senator Jacobs

AMENDMENTS TO SENATE BILL 116, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 5 of Amendment No. 1, after “circumstances;” insert “prohibiting certain individuals from being required to perform a marriage ceremony under certain circumstances;”; in lines 5 and 6, strike “a certain refusal” and substitute “certain refusals”; and in line 6, strike the second “or” and substitute “; providing that a certain refusal may not”.

AMENDMENT NO. 2

On page 2 of the bill, before line 4, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, an individual authorized to perform a marriage ceremony under § 2–406 of the Family Law Article may not be required to perform a marriage ceremony if performance of the ceremony would violate the individual’s sincerely held religious beliefs.

(b) A refusal by an individual described in subsection (a) of this section to perform a marriage ceremony in accordance with subsection (a) of this section may not create a civil claim or cause of action.

AMENDMENT NO. 3

On page 5 of the Judicial Proceedings Committee Amendments, in the last line of Amendment No. 3, strike "4." and substitute "5.".

The preceding 3 amendments were read and rejected.

FLOOR AMENDMENT

**SB0116/323127/1**

BY: Senator Jacobs

AMENDMENTS TO SENATE BILL 116, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0116/418771/1), in line 5 of Amendment No. 1, after "circumstances;" insert "prohibiting certain individuals from being required to perform a marriage ceremony in a wedding chapel under certain circumstances;"; in lines 5 and 6, strike "a certain refusal" and substitute "certain refusals"; and in line 6, strike the second "or" and substitute "; providing that a certain refusal may not".

AMENDMENT NO. 2

On page 2 of the bill, in line 4, after "ENACTED," insert "That:

(a) Notwithstanding any other provision of law, an individual who is authorized to perform marriage ceremonies may not be required to perform a marriage ceremony in a wedding chapel if performance of the ceremony would violate the individual's sincerely held religious beliefs.

(b) A refusal by an individual to perform a marriage ceremony in accordance with subsection (a) of this section may not create a civil claim or cause of action.

SECTION 5. AND BE IT FURTHER ENACTED.”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

**SB0116/623025/1**

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 116, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, before “providing” insert “prohibiting a public school teacher from being required to teach materials that promote same-sex marriage under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 4, after “ENACTED,” insert “That a public school teacher may not be required to teach materials that promote same-sex marriage if the content of the materials violates the teacher’s sincerely held religious beliefs.”

SECTION 5. AND BE IT FURTHER ENACTED.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15      Negative – 30      (See Roll Call No. 197)

FLOOR AMENDMENT

**SB0116/193828/1**

BY: Senator Muse

AMENDMENT TO SENATE BILL 116

(First Reading File Bill)

On page 1, in line 2, strike “Religious Freedom and”.

The preceding amendment was read and adopted by a roll call vote as follows:

Affirmative – 26      Negative – 21      (See Roll Call No. 198)

FLOOR AMENDMENT

**SB0116/723121/1**

BY: Senator Muse

AMENDMENT TO SENATE BILL 116

(First Reading File Bill)

On page 1, strike line 2 in its entirety and substitute “Same–Sex Marriage”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 19      Negative – 28      (See Roll Call No. 199)

FLOOR AMENDMENT

**SB0116/723626/1**

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 116, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, before “providing” insert “prohibiting the promotion of same–sex marriage in a public elementary school under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 4, after “ENACTED,” insert “That same–sex marriage may not be promoted in a public elementary school through teaching or educational materials.”

SECTION 5. AND BE IT FURTHER ENACTED.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16      Negative – 31      (See Roll Call No. 200)

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 25      Negative – 22      (See Roll Call No. 201)

Read the second time and ordered prepared for Third Reading.

**Senate Bill 225 – Senators Dyson and Middleton**

AN ACT concerning

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0225/534231/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 225

(First Reading File Bill)

On page 3, in line 18, strike “October” and substitute “June”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

**SB0225/933225/1**

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 225

(First Reading File Bill)

On page 2, in line 3, strike “an individual” and substitute “A MINOR”; in the same line, strike the brackets; in the same line, strike “**18**” and substitute “YEARS OR, IF THE MINOR IS A RELATIVE OF THE VOTER, OVER THE AGE OF 13 YEARS,”; in line 5, strike “individual” and substitute “MINOR”; in line 7, strike “INDIVIDUAL” and substitute “MINOR”; and in line 11, strike “individuals” and substitute “MINORS”.

On page 3, in line 15, strike the brackets; and in the same line, strike “17” and substitute “YEARS OR, IF THE INDIVIDUAL IS A RELATIVE OF THE VOTER, OVER 17”.

The preceding amendment was read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendment a Special Order for February 24, 2011.

The motion was adopted.

### SPECIAL ORDERS

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

#### **Senate Bill 221 – Senator Conway**

##### EMERGENCY BILL

AN ACT concerning

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### **Senate Bill 65 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

##### **Courts – Natural Resources Violations – Jurisdiction**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Simonaire moved, duly seconded, to make the Bill and Report a Special Order for February 25, 2011.

The motion was adopted.

**Senate Bill 159 – Senators Frosh, Benson, Conway, Forehand, King, Klausmeier, Montgomery, Pinsky, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR ASTLE.

FLOOR AMENDMENT

**SB0159/123027/1**

BY: Senator Astle

AMENDMENTS TO SENATE BILL 159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Poaching –” insert “Monitoring and”; in line 3, after “of” insert “requiring the Department of Natural Resources to operate a helicopter for certain purposes relating to the unlawful taking of oysters;”; in line 6, strike “of Natural Resources”; after line 13 insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–205(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2010 Supplement)”;

and in line 16, after “Section” insert “4–205(m) and”.

AMENDMENT NO. 2

On page 1, after line 21, insert:

“4–205.

(a) The Department may operate, sell, buy, lease, exchange, rent, or repair any vehicle, vessel, boat, net, or other equipment necessary for its work. It may equip a vehicle, vessel, or boat, which it owns or operates, with any required arms,



ammunition, or equipment. The Department's authority under this subsection is subject to the provisions of law concerning budget and procurement.

**(M) THE DEPARTMENT SHALL OPERATE A HELICOPTER TO:**

**(1) MONITOR THE OYSTER FISHERY;**

**(2) DETECT ANY UNLAWFUL TAKING OF OYSTERS IN STATE WATERS; AND**

**(3) AID GENERALLY IN ENFORCEMENT ACTIONS RELATED TO THE UNLAWFUL TAKING OF OYSTERS UNDER THIS TITLE.**

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

**SB0159/663525/2**

BY: Senator Colburn

**AMENDMENTS TO SENATE BILL 159**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, strike beginning with "Oyster" through "Hearing" and substitute "Oysters – Sanctuaries and Poaching"; in line 3, after "of" insert "prohibiting the Department of Natural Resources from designating more than a certain percent of the available oyster habitat in the waters of the State as oyster sanctuaries, except under certain circumstances;"; in line 6, strike "of Natural Resources"; and strike beginning with "unlawfully" in line 12 down through "revocation" in line 13 and substitute "the management of oyster resources in the State".

**AMENDMENT NO. 2**

On page 1, after line 13, insert:

**"BY repealing and reenacting, with amendments,**

**Article – Natural Resources**

**Section 4-1006.2**

**Annotated Code of Maryland**

(2005 Replacement Volume and 2010 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 21, insert:

“4-1006.2.

**(A) THE DEPARTMENT MAY NOT DESIGNATE MORE THAN 25% OF THE AVAILABLE OYSTER HABITAT IN THE WATERS OF THE STATE AS OYSTER SANCTUARIES, UNLESS THE DEPARTMENT CONDUCTS A PUBLIC HEARING DURING WHICH IT PRESENTS SCIENTIFIC EVIDENCE OF A SIGNIFICANT INCREASE IN THE HARVESTABLE OYSTER POPULATION.**

**[(a)](B) The Department annually shall publish maps and coordinates of oyster sanctuaries, closed oyster harvest reserve areas, and areas closed to shellfish harvest by the Department of the Environment.**

**[(b)](C) (1) The Department shall provide the publications required under this section to each tidal fish licensee who pays the oyster surcharges required under § 4-701(e) of this title.**

**(2) Before a person may catch oysters under a tidal fish license that has an oyster authorization and for which the oyster surcharges have been paid, the person shall certify to the Department on a form the Department prescribes that the person received the publications required under this section.”.**

The preceding 3 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 202)

**ADJOURNMENT**

At 12:58 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 9:15 A.M. on Thursday, February 24, 2011.