



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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DEADLINES

March 4 was the 55th day of the 2013 session, the final date for introduction of bills without suspension of the rules. The Maryland Constitution prohibits the introduction of legislation “during the last thirty-five days” of a regular session, unless permitted by a two-thirds affirmative vote of the elected membership of the chamber in which the bill is to be introduced. This allows 55 days for the normal introduction of legislation. To date, Senators have introduced 1,060 bills and Delegates have introduced 1,528 bills. *Sine die* is April 8.

CRIMES, CORRECTIONS, AND PUBLIC SAFETY

Death Penalty Repeal

After extensive debate on the floor, the Senate passed [SB 276](#), Death Penalty Repeal – Substitution of Life Without the Possibility of Parole. No floor amendments were adopted. Committee amendments removed a required appropriation to the State Victims of Crime Fund and specifically state that the Governor is authorized to commute existing death sentences into the sentence of life without parole. Under the bill, instead of being sentenced to death, an individual found guilty of first degree murder will be sentenced to life imprisonment or life imprisonment without the possibility of parole. A House committee heard testimony on the bill late in the week and subsequently voted to send the measure to the House floor for consideration.

Cyberbullying of a Minor

“Cyberbullying” has become a fast-growing issue nationwide. [SB 1052/HB 396](#) address this kind of electronic harassment, making it illegal to use a computer or computer network to harass a minor. The forms of electronic harassment that are banned include:

- causing a minor or another person to fear for the safety of a minor by building a fake profile or website; posing as the minor in a chat room, email,

or instant message; or repeatedly following the minor online or in an electronic chat room;

- sexually harassing a minor by posting or encouraging others to post private or sexual information about a minor on the Internet, posting a real or doctored picture of a minor on the Internet, or signing up a minor for a pornographic Internet site;
- spreading unauthorized information about a minor with the malicious intent to harass or psychologically torment a minor; or
- making any statement, true or false, intended or likely to provoke someone else to stalk a minor.

Peaceable activities intended to express political views or provide information are exempted from these provisions. A violation of the bill’s provisions constitutes a misdemeanor and may be punishable by imprisonment up to one year and/or a maximum fine of \$500.

Animal Cruelty

This week, the Senate passed [SB 37](#), which authorizes a court to order a defendant convicted of specified animal cruelty offenses to pay all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant. The order is a condition of sentencing and the payment is in addition to any other fines and costs imposed by the court. The applicable offenses are: animal abuse or neglect, felony aggravated cruelty to animals (general), felony aggravated cruelty to animals (dogfighting), and felony aggravated cruelty to animals (cockfighting). [HB 865](#) is the companion bill.

Wheeled Shopping Carts

A Senate bill increasing the penalty for the theft of a wheeled shopping cart, [SB 191](#), was reported unfavorably out of committee. The original companion measure, [HB 156](#), will be heard by a Senate committee next week, but, as amended and passed by the House, the bill repeals the crime of theft of a wheeled cart. Thus, the crime is now subject to current theft statutes, under which a person convicted of theft of property or services valued at less than \$100 is guilty of a misdemeanor and is subject to maximum penalties of imprisonment of

90 days and/or a \$500 fine. A person convicted of theft of property with a value of less than \$1,000 is guilty of a misdemeanor and subject to maximum penalties of imprisonment for 18 months and/or a fine of \$500.

ECONOMIC AND BUSINESS ISSUES

Maryland Offshore Wind Energy Act of 2013

Governor O'Malley's proposed legislation to create a market in the State for offshore wind energy has received Senate approval with amendments ([HB 226](#)). The bill must return to the House for resolution of the differences.

Under the bill, the State Renewable Energy Portfolio Standard (RPS) requires that a small portion, about 2.5% of electricity sales in Maryland be derived from offshore wind beginning in 2017. Among other requirements, proposed offshore wind projects must be approved by the Public Service Commission (PSC).

A Maryland Offshore Wind Development Fund and a Maryland Offshore Wind Business Development Advisory Committee will provide financial and business development assistance and training opportunities to emerging wind energy businesses in the State. New task forces are charged to examine possible offerings in the clean energy field for specified Maryland colleges and universities.

Renewable Energy Portfolio Standard (RPS) – Qualifying Biomass

Bills that alter the definition of “qualifying biomass” as a Tier 1 renewable source eligible for inclusion in the State's RPS were heard recently ([SB 684/HB 1102](#)). To comply with RPS standards, electricity suppliers submit renewable energy credits (RECs), which are tradable commodities equal to one megawatt-hour of electricity generated or obtained from a renewable energy generation source, equal to the percentage mandated by the RPS.

RECs are classified as Tier 1, Tier 1 Solar, or Tier 2. Tier 1 sources include qualifying biomass—a nonhazardous, organic material that is available on a renewable or recurring basis, is waste material that is segregated from inorganic waste material, and is derived from sources including mill residue, pallets or crates, yard waste, and agricultural or forest sources.

Maryland's Tier 1 RPS obligation has primarily been met with qualifying biomass, mainly in the form of paper pulp and wood waste. The bills classify as Tier 2 sources all facilities that went into operation prior to January 1, 2005, effectively removing all currently

qualified paper pulp and wood waste facilities as Tier 1 sources, as the facilities all went into operation before January 1, 2005.

Utilities – Service Restoration – Prioritized Facilities

[HB 1159](#) requires the (PSC) to adopt regulations that implement service quality and reliability standards relating to the delivery of electricity to a prioritized facility. Prioritized facilities include assisted living facilities, hospice facilities, hospitals, nursing homes, and any other facility that houses vulnerable residents.

The PSC must adopt regulations for electricity companies that account for major outages outside of the electric company's control that include standards for service relating to service interruptions and require an electric company to immediately evaluate ways to minimize the frequency and duration of future service disruptions.

Enterprise Fund and Invest Maryland Program

Emergency legislation that makes changes to the Enterprise Fund and the Invest Maryland Program within the Department of Business and Economic Development (DBED) has passed a second reading in the Senate with amendments ([SB 70](#)).

The Invest Maryland Program, a state-supported venture capital program, allows the provision of State funds to approved venture firms that can make distributions for any purpose. The measure allows venture firms more flexibility by altering the conditions that must be met before a venture firm can make distributions. In addition, the measure allows DBED to acquire greater company ownership when making Enterprise Fund equity investments. As amended, the bill prohibits DBED from including proprietary or confidential information on required reports.

Maryland Automobile Insurance Fund

The Senate passed an amended [SB 749](#), which makes operational changes to the Maryland Automobile Insurance Fund (MAIF), Maryland's automobile insurer of last resort. The bill provides that MAIF is not subject to certain provisions of law affecting governmental units and removes MAIF's legal business from the charge of the Attorney General. However, MAIF is still subject to the Public Information Act, the Open Meetings Act, the Tort Claims Act, and the Whistleblower Act. Other changes include:

- a decrease in the number of members of the MAIF Board of Trustees and various changes to the membership provisions and terms of members;

- a repeal of current law stating that MAIF is subject to review by the Office of Legislative Audits, and inclusion of a requirement that the Board's Audit Committee require MAIF's internal auditor to conduct compliance and fiscal audits yearly;
- the exemption of MAIF from State procurement law relating to real estate; and
- the removal of MAIF employees from the State Personnel Management System, except for certain skilled service employees, but still including MAIF employees as State employees and keeping them in the State health and pension systems.

The bill is a result of the Task Force to Study Maryland Insurance Programs of Last Resort, established by Chapter 408 of 2012 (HB 1017). The companion measure, [HB 1132](#), remains in a House committee.

A measure that authorizes MAIF to accept premiums on an installment basis on personal lines policies has received testimony ([SB 930](#)). Under current law, MAIF may not provide directly or indirectly for the financing of premiums or accept premiums on an installment basis. Premiums owed to MAIF may be financed by a premium finance company registered with the Insurance Commissioner. Several similar measures have been introduced in past years but have not passed.

Alcoholic Beverage Licenses – “Growlers”

A measure that would allow holders of a Class 5 manufacturer's (brewery) license to obtain a refillable container permit received testimony this week ([SB 955](#)). The refillable container permit allows the licensee to sell draft beer to consume off the licensed premises in a container known as a “growler,” which can have a capacity of not less than 32 ounces and not more than 128 ounces. There are currently 12 Class 5 manufacturer's licenses issued in the State.

Wage and Hour Law – Minimum Wage

A Senate committee listened to testimony from almost 50 Marylanders, both for and against [SB 683](#), the Senate companion to [HB 1204](#) that was before a House committee recently. The bills raise the minimum wage to \$10 per hour as of July 1, 2015. If the federal minimum wage is greater, then the federal minimum will apply. Other provisions address payment to employees who receive tips from their customers.

Maryland Jobs Development Act

[HB 1315](#) requires DBED to work with all units of the State that administer economic development programs to compile comprehensive data and report annually on all economic development programs administered in the

State. DBED must also adopt regulations that create a process for determining compliance with economic development programs and, if applicable, assist recipients in meeting the program requirements.

EDUCATION

Maryland Center for School Safety

A House committee considered [HB 453](#), which establishes the Maryland Center for School Safety as an independent unit of State government based at Bowie State University. The mission of the center is to collaborate with organizations and individuals interested in education and law enforcement to provide a comprehensive, coordinated approach to school safety. The center is to assist the Maryland State Department of Education (MSDE) and local school systems in preparing an annual report that combines multiple school safety data systems into one format for public review. It is to develop a website containing a searchable database of school safety resources and assist local school systems in assessing school safety data. The center is also tasked with assisting local school systems with building layouts, use of human resources for monitoring school safety measures, and with improving traffic control measures around schools.

Electronic Control Devices (ECDs)

[HB 394](#) authorizes a principal of a primary or secondary school to designate trained safety officers and allow them to use ECDs if necessary. A safety officer must complete the training developed by the Maryland Police and Correctional Training Commissions before using or carrying an ECD in a school. “ECD” means a portable device, such as a stun gun, designed as a weapon capable of injuring, immobilizing, or inflicting pain on an individual by the discharge of electrical current.

Handguns

With certain exceptions, a person is prohibited from carrying or possessing a firearm, knife, or deadly weapon of any kind on public school property. A House committee heard testimony this week on bills that authorize certain persons to carry a handgun on school property:

- [HB 395](#) authorizes county superintendents and the Chief Executive Officer of the Baltimore City Board of School Commissioners to designate an individual working within a school as a school guardian who may carry a handgun on school property if the person has been issued a handgun permit; and

- [HB 397](#) creates an exception to the prohibition against carrying a deadly weapon on public school property for a person who holds a handgun permit or who is certified to carry a concealed firearm under the federal Law Enforcement Officers Safety Act.

Online Course Graduation Requirement

Under current law, MSDE is required to provide virtual learning opportunities. This includes offering a distance-learning program to provide public school students within the State with equal opportunities to develop a strong academic foundation and offering expanded educational choices not otherwise available to students. [SB 537/HB 532](#) require a student to complete an online course to graduate from high school beginning with students entering grade nine in the 2015-2016 school year. The online course must be approved by either MSDE or the local board of education.

ELECTIONS AND ETHICS

Bills are moving through the legislative process to change Maryland law related to the State's early voting and absentee voting provisions. The Administration bill, [SB 279](#), which passed second reading with amendments this week, increases the number of early voting centers in some jurisdictions, increases the number of days and operating hours for the centers, and makes changes to absentee voting provisions.

An amendment delays, until January 1, 2016, the provisions in the bill that allow an individual to register to vote or update an existing voter registration address and to vote, under specified circumstances, during early voting at an early voting center.

Another approved amendment allows an additional early voting center for a county with geographic area larger than 400 square miles. Additionally, the State Board of Elections is directed to study and report, by the end of the year, findings on early voting wait times during recent primary and general elections and on the appropriate deployment of voting equipment, related infrastructure, and staffing, as well on the increased costs, if the current deployment is not adequate.

Other election-related legislation includes:

- [HB 220](#) (passed a preliminary House floor vote), which gives the Attorney General the authority to institute an action in circuit court for injunctive relief to prohibit a person from committing an imminent violation or continuing to commit a violation of provisions of law that prohibit voting-related offenses. Injunctive relief may only be granted

pursuant to the bill in order to prevent a violation from affecting a pending election. A provision was removed by amendment that would have added to current law an offense prohibiting a person from willfully and knowingly influencing or attempting to influence a voter's voting decision through fraud;

- [HB 447](#) (passed by the House), which allows candidates or elected officials to use campaign funds for meeting and conference expenses if the meetings and conferences are focused on legislative issues, process, or public policy analysis pertinent to the office that the elected official holds or that the candidate seeks; and
- [HB 427](#) (passed by the House), which addresses the timely return of absentee ballots by military voters.

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Water Pollution

[SB 302](#), with committee amendments, requires the Maryland Department of the Environment (MDE) to annually publish on its website the total amount of sewage overflow from sewerage systems into the Chesapeake Bay and its tributaries during the previous year, as well as the fines collected as a result of the sewage overflows.

Beverage Container Recycling

To encourage recycling, [SB 641/HB 1085](#) establish a 5-cent beverage container deposit and a Statewide Container Recycling Incentive Program within MDE. The bills also establish a Container Recycling Incentive Fund administered by the Comptroller to be used for the payment of refunds and handling fees to container redemption centers and to support the new program.

[HB 1087](#) requires beverage distributors, on or before January 1, 2015, to establish or participate in a program, approved by MDE, for the collection and recycling of beverage containers sold in bars and restaurants, and requires owners and managers of bars and restaurants to separate, store, and arrange for container collection and recycling.

Disposable Bags – Community Cleanup and Greening

Bills ([SB 576/HB 1086](#)) to establish in eligible counties a fee of 5 cents per disposable carryout bag (paper or plastic) provided by retail establishments to customers continued to generate considerable discussion this week. Both Senate and House committees have heard arguments for and against the "bag tax," as it is

popularly known. Under the bills, an eligible county means a county that has not enacted a county-administered disposable carryout bag fee program by March 31, 2014. The bills make exceptions for certain kinds of bags and for certain establishments.

Food Safety

SB 521 (failed), which would have required meat or poultry that is derived from an animal that was fed or administered antibiotics while being raised in the State to bear a label identifying each antibiotic that was fed or administered to the animal, has been withdrawn by its sponsor.

Shark Fins

SB 528 (failed), which would have prohibited a restaurant or grocery store from selling and an individual from consuming shark fin soup, has received an unfavorable committee vote.

FINANCIAL INSTITUTIONS AND COMMERCIAL LAW

Maryland Consumer Protection Act (MCPA)

An unfair or deceptive trade practice under MCPA includes, among other acts, any false, falsely disparaging, or misleading oral or written statement, visual description, or other representation of any kind which has the capacity, tendency, or effect of deceiving or misleading consumers.

A merchant who violates the MCPA is subject to a fine of up to \$1,000 for the first violation and up to \$5,000 for each subsequent violation. In addition to any civil penalties that may be imposed, a person who violates the MCPA is guilty of a misdemeanor and, on conviction, is subject to a fine of up to \$1,000 and/or imprisonment for up to one year. Some of the consumer protection bills that are subject to MCPA address:

- *Credit Cards - Surcharges.* **HB 1218**, an emergency bill, prohibits a merchant that accepts payment by credit card from imposing a surcharge on a buyer who elects to pay by credit card instead of by cash, check, or similar means. The bill does not prohibit a merchant from offering a discount for the purpose of inducing payment by cash, check, or similar means not involving the use of a credit card if the discount is offered to all prospective buyers;
- *Home Appliances - Warranty Enforcement.* **HB 1215** establishes the Home Appliance Warranty Enforcement Act. Under the bill, a home appliance manufacturer or its agent must repair or correct a

nonconformity in a home appliance at no cost to the consumer if the appliance does not conform to the manufacturer's express warranties. The bill applies to home appliances sold on or after October 1, 2013; and

- *Receipts.* **SB 852/HB 497** require a merchant to provide a consumer with a written receipt for the sale of consumer goods and services, unless the consumer agrees not to receive the written receipt. A merchant may provide an electronic receipt in lieu of the written receipt if the consumer agrees, but may not charge a consumer for a receipt of sale of consumer goods or services.

FISCAL MATTERS

Operating Budget

The budget committees, Senate Budget and Taxation (B&T) and House Appropriations (APP), are finishing their hearings and decision meetings, and the Budget Bill (**HB 100**) is scheduled to be brought to the House floor next Monday, March 11, and debated on second reading the following Wednesday.

Bond Bill Saturday

Saturday, March 9, is the 2013 session's Bond Bill Saturday, so designated as the day when the B&T and APP Committees hear testimony on individual bond bills that seek authorization for various cultural, historic, health, education, and economic development projects that are not otherwise funded by State programs or administered by the State. This session there are a total of 133 projects.

Generally, the authorizations require the recipient to provide matching funds equal to the State funds provided and to convey an historic easement, if applicable, to the Maryland Historical Trust. In recent years, the General Assembly has amended the capital budget bill (**HB 101**) to provide funding for some of the projects for which individual bond bills were originally introduced. At the same time, the General Assembly has not passed any individual bond bills.

Transportation Infrastructure Investment Act

The Governor's transportation funding bills, **SB 1054/HB 1515**, were introduced this week. The bills, with an effective date of June 1, 2013, reduce the motor fuel tax on gasoline, index the motor fuel tax for inflation, impose a sales and use tax equivalent rate on motor fuel, increase the Maryland Transit Administration's base fares, increase the motor vehicle registration surcharge, and require any funds transferred

from the Transportation Trust Fund (TTF) be repaid within five years. Specifically, the bills:

- reduce the motor fuel tax on gasoline by 5 cents per gallon from 23.5 cents per gallon to 18.5 cents per gallon on July 1, 2013;
- index the motor fuel tax on gasoline, special fuel, and clean-burning fuel for inflation using the Consumer Price Index for All Urban Consumers, increasing the tax rate on July 1, 2014, and each subsequent July 1, by the rate of inflation;
- impose on motor fuel a 2% sales and use tax equivalent rate on July 1, 2013, on the retail price of motor fuel minus the federal and State motor fuel taxes. The tax rate increases to 4% on July 1, 2014. Additionally, the rate increases to 6% on June 1, 2015, if federal law has not taken effect by that date, which permits the State to require out-of-state sellers to collect the State sales and use tax on sales to in-state buyers. If a federal law takes effect permitting the State to require out-of-state sellers to collect the sales and use tax on in-state buyers, then the Comptroller is to distribute 4% of the sales and use tax revenue to the TTF, after certain distributions, and the sales and use tax equivalent rate remains at 4%. The sales and use tax equivalent rate is based on the average annual retail price of the motor fuel as annually determined by the Comptroller;
- require the Maryland Transit Administration, in fiscal 2015, to increase the base fares for core bus, light rail, and metro subway services by the rate of inflation for the past three years. The increase during fiscal 2015 must be the same percentage as the triennial increase in the Consumer Price Index for All Urban Consumers for the Washington-Baltimore Metropolitan Area from January 1, 2011, to December 31, 2013, and must be rounded to the nearest 10 cents. The fares are to be increased triennially based upon the increase in this index; and
- increase the surcharge to the motor vehicle registration fee for the Maryland Emergency Medical System Operations Fund from \$13.50 to \$17 per year. This fund is used to fund Medevac, the R. Adams Cowley Shock Trauma Center at the University of Maryland Medical System, the Maryland Institute for Emergency Medical Services Systems, the Maryland Fire and Rescue Institute, and aid for local fire and rescue services.

Further, the motor fuel tax revenue and the sales and use tax equivalent rate revenue are dedicated to the TTF. The bills provide that no part of the TTF may be credited to the general fund or a special fund unless approved by

the General Assembly by legislation enacted into law and which was passed by a three-fifths vote of the full standing committee in each house to which the bill was assigned. The TTF may be used for defense or relief purposes only if the State has been invaded or there is a major catastrophe, and the Governor declares a state of emergency and declares that the use of the funds for defense is necessary for the immediate preservation of the public health or safety.

Before the legislation is enacted or the Governor issues his declaration, there shall be a determination of the impact on the credit rating of the bonds of the Maryland Department of Transportation. Any funds transferred or diverted shall be repaid within five years, although this repayment provision does not apply to a distribution of highway user revenues to counties, municipalities, and Baltimore City.

The bills require that the Governor include an additional \$45 million in the annual capital budget for the State Highway Administration for fiscal 2015 to comply with the Watershed Implementation Plan, and to include amounts of \$65 million, \$85 million, \$100 million, and \$100 million in the annual capital budget for the State Highway Administration for fiscal 2016 through 2019, respectively.

The Governor is also required, in consultation with the President of the Senate and the Speaker of the House of Delegates, to appoint a Local and Regional Transportation Funding Task Force. The task force is to study the feasibility of creating regional transit financing entities and local-option transportation revenues for the purpose of raising additional funds to support regional and local transportation. The task force will include State and local government representatives and is charged to report its recommendations by December 15, 2013.

Job Creation Incentive Tax Credit

SB 615 creates a tax credit against the State income tax for employers who hire qualified individuals. The amount of credits that the Department of Business and Economic Development (DBED) may award each fiscal year may not exceed the amount of money appropriated to the Job Creation Incentive Tax Credit Reserve Fund established by the bill. The Governor must appropriate \$10 million to the reserve fund in fiscal 2015 and 2016. Any amount of money in the fund that is not expended may be issued in the next application period. The bill takes effect July 1, 2013, and applies to tax year 2013 and beyond.

To be eligible for the credit, a business must “establish or expand” a business in the State. Qualified employers

include persons conducting a trade or business in the State; or nonprofit organizations. A qualified position is full-time and of indefinite duration, located in the State, and newly created as a result of the establishment or expansion of a business in the State and pays at least 150% of the federal minimum wage.

Business Transparency and Financial Disclosure Act

HB 1231 requires any person or entity that receives a State subsidy of at least \$25,000 in public funds to file a financial disclosure report with information specified in the bill, including the name, mailing address, phone number, and chief officer of the grantee, a summary of the public purpose that the grantee provides, and a description of the activity and the location where the activity takes place.

County Property Tax – Personal Property Rate

With preliminary approval by the Senate, **SB 573** decouples the personal property tax rate from the real property tax rate by authorizing county governments to set a personal property tax rate no more than 2.5 times the county real property tax rate. Under current law, the county personal property tax rate is set at 2.5 times the county real property tax rate. The bill takes effect June 1, 2013, and applies to taxable years beginning after June 30, 2013.

GAMING, RACING, AND SPORTS

Video Lottery Terminals

HB 446, which is subject to voter referendum, authorizes a video lottery operation license to be awarded for a maximum of 2,500 video lottery terminals (VLTs) in the terminal building at Baltimore-Washington International Thurgood Marshall Airport (BWI). The bill provides that for VLT proceeds from the BWI facility alone, the portion remaining after other distributions are made will be distributed to the Transportation Trust Fund rather than to the Education Trust Fund.

HEALTH CARE AND HEALTH INSURANCE

Medical Marijuana

In 1996, California became the first state to allow the medical use of marijuana. Since then, 17 other states and the District of Columbia have enacted similar laws. States that allow use of medical marijuana generally have some form of patient registry and immunity from arrest for possession of a certain amount of marijuana for medical use. Maryland is an exception in that although State law allows for medical necessity as an affirmative

defense against prosecution, it does not provide a means for patients to obtain marijuana. Legislation for 2013 under consideration includes:

- **HB 302**, the Maryland Medical Marijuana Act, under the aegis of a Medical Marijuana Advisory Board in the Department of Health and Mental Hygiene (DHMH), authorizing the medical use of marijuana by allowing “compassion centers,” defined as entities that acquire, possess, cultivate, manufacture, deliver, transport, supply or dispense marijuana or related supplies and educational materials to patients and caregivers. The bill provides for designated caregivers and establishes guidelines for issuing registry identification cards to patients for medical marijuana use;
- **HB 1100**, the Maryland Compassionate Care Act, providing a different system for access through an independent Medical Marijuana Oversight Commission, whose purpose is to register and regulate academic medical centers; certify physicians, growers, dispensing centers, and dispensing pharmacies; and register qualifying patients and their primary caregivers, all of which are established and regulated under the provisions of the bill; and
- **HB 1101**, also establishing a Medical Marijuana Commission for oversight, but the purpose is to approve or deny applications and monitor medical marijuana compassionate use programs developed by academic medical centers only, as opposed to other entities that are specified in **HB 1100**.

Academic medical centers are defined as hospitals that operate a medical residency program for physicians and conduct research that is overseen by the federal Department of Health and Human Services and involves human subjects. The legislation provides guidelines for program applications to be submitted by academic medical centers and a process under DHMH to license medical marijuana growers to operate in the State to supply marijuana only to the approved programs.

Mental Health

HB 1258 modifies standards for involuntary admissions of individuals with mental disorders to a specified facility or Veterans’ Administration hospital, for emergency evaluations of individuals with mental disorders, and for clinical review panel approval. In addition, the bill establishes the Task Force on the Delivery of Services to Individuals with Mental Illness with an interim report due by January 1, 2014, and a

final report due by January 1, 2015. The crossfiled measure, [SB 1040](#), remains in a Senate committee.

Midwives

[HB 1202](#) authorizes an individual to practice as a certified professional midwife (CPM) in the State if the individual meets specified requirements. An individual must be certified as a CPM before practicing midwifery in the State, with specified exceptions. DHMH must adopt regulations for the certification and report certain information to the General Assembly by December 1, 2015.

Health Care Facilities – Workplace Violence

[SB 804](#) requires a health care facility, defined as a hospital or related institution, to establish by August 1, 2014, a committee to implement by October 1, 2014, a workplace violence prevention program. A written policy is required describing how the facility provides for the security of its workers and an annual assessment to identify hazards, conditions, operations, and situations that could lead to workplace violence. The assessment must be used to develop recommendations to reduce the risk of workplace violence. The program must also include a process for reporting, responding to, and tracking incidences of workplace violence, as well as regular workplace violence prevention training for its health care workers. The companion is [HB 774](#).

school systems. MPSSAA currently conducts programs for 114,000 student athletes, 9,000 coaches, and 6,000 officials; and

- [SB 825/HB 1345](#), which seeks to include a multimember subcommittee of a standing committee of either house of the General Assembly.

STATE GOVERNMENT

Open Meetings Act

The Senate is considering the House-approved bill ([HB 331](#)) that changes the procedures of the Open Meetings Act to require public bodies to acknowledge publically any violations reported by the advisory State Open Meetings Law Compliance Board, which handles complaints alleging violations. The bill, as amended, also lowers the fines in the original proposal that a court may impose for violations and requires the court to consider the financial resources and the ability of the public body to pay the fine. The original companion, [SB 826](#), was before a Senate committee this week.

Other bills, which expand the definition of “public body” for the purposes of the Act are:

- [SB 230](#), now in the House, which seeks to include the Maryland Public Secondary Schools Athletic Association (MPSSAA). The organization, founded in 1946 to provide greater structure for interscholastic athletics among the public secondary schools in Maryland, derives its authority from the Maryland State Board of Education and the 24 local