

(PRE-FILED)

By: **Senator Colburn**

Requested: October 30, 1997

Introduced and read first time: January 14, 1998

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County - Limited Public-Use Pools**

3 FOR the purpose of limiting certain regulatory authority of the Secretary of Health
4 and Mental Hygiene concerning any limited public-use pool in Caroline County
5 at which the County operates a water safety instruction program; prohibiting
6 the Secretary from enforcing certain regulations that conflict with this Act;
7 defining a certain term; providing for the effective date of this Act; and generally
8 relating to the authority of the Secretary of Health and Mental Hygiene
9 concerning certain pools in Caroline County.

10 BY repealing and reenacting, without amendments,
11 Article - Health - General
12 Section 1-101(a) and (i) and 18-102
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1997 Supplement)

15 BY adding to
16 Article - Health - General
17 Section 18-102.1
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1997 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Health - General**

23 1-101.

24 (a) In this article the following words have the meanings indicated.

25 (i) "Secretary" means the Secretary of Health and Mental Hygiene.

1 18-102.

2 (a) The Secretary shall adopt rules and regulations necessary to prevent:

3 (1) The introduction of an infectious or contagious disease into this
4 State; or

5 (2) The spread of an infectious or contagious disease in this State.

6 (b) The Secretary may enter on and inspect private property to determine the
7 presence, cause, and source of an infectious or contagious disease.

8 18-102.1.

9 (A) IN THIS SECTION, "LIMITED PUBLIC-USE POOL" HAS THE MEANING
10 STATED IN TITLE 10.17.01.05B(7) OF THE CODE OF MARYLAND REGULATIONS.

11 (B) FOR ANY LIMITED PUBLIC-USE POOL IN CAROLINE COUNTY AT WHICH
12 THE COUNTY OPERATES A WATER SAFETY INSTRUCTION PROGRAM, THE SECRETARY
13 MAY ONLY ADOPT REGULATIONS TO ENSURE THAT THE WATER QUALITY OF THE
14 LIMITED PUBLIC-USE POOL IS SANITARY.

15 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health
16 and Mental Hygiene may not enforce any provision of Title 10.17.01 of the Code of
17 Maryland Regulations (Public Swimming Pools and Spas) that is in conflict with §
18 18-102.1 of the Health - General Article, as enacted by Section 1 of this Act.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 June 1, 1998.